

109TH CONGRESS  
1ST SESSION

# S. 250

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## AN ACT

To amend the Carl D. Perkins Vocational and Technical  
Education Act of 1998 to improve the Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Carl D. Perkins Career and Technical Education Im-  
6 provement Act of 2005”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

Sec. 1. Short title; table of contents.  
 Sec. 2. References.  
 Sec. 3. Purpose.  
 Sec. 4. Definitions.  
 Sec. 5. Transition provisions.  
 Sec. 6. Limitation.  
 Sec. 7. Authorization of appropriations.

#### TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

Sec. 101. Career and technical education assistance to the States.  
 Sec. 102. Reservations and State allotment.  
 Sec. 103. Within State allocation.  
 Sec. 104. Accountability.  
 Sec. 105. National activities.  
 Sec. 106. Assistance for the outlying areas.  
 Sec. 107. Native American program.  
 Sec. 108. Tribally controlled postsecondary career and technical institutions.  
 Sec. 109. Occupational and employment information.  
 Sec. 110. State administration.  
 Sec. 111. State plan.  
 Sec. 112. Improvement plans.  
 Sec. 113. State leadership activities.  
 Sec. 114. Distribution of funds to secondary school programs.  
 Sec. 115. Distribution of funds for postsecondary career and technical edu-  
         cation programs.  
 Sec. 116. Special rules for career and technical education.  
 Sec. 117. Local plan for career and technical education programs.  
 Sec. 118. Local uses of funds.  
 Sec. 119. Tech-Prep education.

#### TITLE II—GENERAL PROVISIONS

Sec. 201. Redesignation of title.  
 Sec. 202. Fiscal requirements.  
 Sec. 203. Voluntary selection and participation.  
 Sec. 204. Limitation for certain students.  
 Sec. 205. Authorization of Secretary; participation of private school personnel.  
 Sec. 206. Student assistance and other Federal programs.  
 Sec. 207. Table of contents.

### 3 **SEC. 2. REFERENCES.**

4 Except as otherwise expressly provided, wherever in  
 5 this Act an amendment or repeal is expressed in terms  
 6 of an amendment to, or repeal of, a section or other provi-  
 7 sion, the reference shall be considered to be made to a

1 section or other provision of the Carl D. Perkins Voca-  
 2 tional and Technical Education Act of 1998 (20 U.S.C.  
 3 2301 et seq.).

4 **SEC. 3. PURPOSE.**

5 Section 2 (20 U.S.C. 2301) is amended—

6 (1) by striking “vocational” each place the term  
 7 appears and inserting “career”;

8 (2) in paragraph (1), by striking “standards”  
 9 and inserting “and technical standards, and to assist  
 10 students in meeting such standards, including stu-  
 11 dent academic achievement standards, especially in  
 12 preparation for high skill, high wage, or high de-  
 13 mand occupations in emerging or established profes-  
 14 sions”;

15 (3) in paragraph (2), by inserting “challenging”  
 16 after “integrate”;

17 (4) in paragraph (3), by striking “and” after  
 18 the semicolon;

19 (5) in paragraph (4)—

20 (A) by inserting “conducting and” before  
 21 “disseminating national”;

22 (B) by inserting “disseminating informa-  
 23 tion on best practices,” after “national re-  
 24 search,”; and

1 (C) by striking the period at the end and  
2 inserting a semicolon; and

3 (6) by adding at the end the following:

4 “(5) promoting leadership, initial preparation,  
5 and professional development at the State and local  
6 levels, and developing research and best practices for  
7 improving the quality of career and technical edu-  
8 cation teachers, faculty, principals, administrators,  
9 and counselors;

10 “(6) supporting partnerships among secondary  
11 schools, postsecondary institutions, baccalaureate de-  
12 gree granting institutions, area career technical cen-  
13 ters, local workforce investment boards, business and  
14 industry, professional associations, and inter-  
15 mediaries; and

16 “(7) developing a highly skilled workforce need-  
17 ed to keep America competitive in the global econ-  
18 omy in conjunction with other Federal education and  
19 training programs, including workforce investment  
20 programs, that provide lifelong learning for the  
21 workforce of today and tomorrow.”.

22 **SEC. 4. DEFINITIONS.**

23 Section 3 (20 U.S.C. 2302) is amended—

24 (1) by striking paragraphs (29) and (30);

1           (2) by redesignating paragraphs (5), (6), (7)  
 2           through (12), (13) through (16), (17) through (22),  
 3           and (23) through (28), as paragraphs (10), (12),  
 4           (14) through (19), (21) through (24), (26) through  
 5           (31), and (33) through (38), respectively;

6           (3) in paragraph (2), by inserting “, including  
 7           employment statistics and information relating to  
 8           national, regional, and local labor market areas, as  
 9           provided pursuant to section 118, and career ladder  
 10          information, where appropriate” after “to enter”;

11          (4) in paragraph (3)—

12           (A) in the paragraph heading, by striking  
 13           “VOCATIONAL” and inserting “CAREER”; and

14           (B) by striking “vocational” each place the  
 15           term appears and inserting “career”;

16          (5) by striking paragraph (4) and inserting the  
 17          following:

18           “(4) ARTICULATION AGREEMENT.—The term  
 19           ‘articulation agreement’ means a written  
 20           commitment—

21           “(A) that is approved annually by the rel-  
 22           evant administrators of—

23           “(i) a secondary institution and a  
 24           postsecondary educational institution; or

1                   “(ii) a sub-baccalaureate degree  
 2                   granting postsecondary educational institu-  
 3                   tion and a baccalaureate degree granting  
 4                   postsecondary educational institution; and

5                   “(B) to a program that is designed to pro-  
 6                   vide students with a nonduplicative sequence of  
 7                   progressive achievement leading to technical  
 8                   skill proficiency, a credential, a certificate, or a  
 9                   degree, and linked through credit transfer  
 10                  agreements.”;

11                  (6) by inserting after paragraph (4) (as amend-  
 12                  ed by paragraph (5)) the following:

13                  “(5) CAREER AND TECHNICAL EDUCATION.—  
 14                  The term ‘career and technical education’ means or-  
 15                  ganized educational activities that—

16                         “(A) offer a sequence of courses (which  
 17                         may include work-based learning experiences)  
 18                         that—

19                                 “(i) provides individuals with the chal-  
 20                                 lenging academic and technical knowledge  
 21                                 and skills the individuals need to prepare  
 22                                 for further education and for careers in  
 23                                 emerging and established professions; and

1 “(ii) may lead to technical skill pro-  
 2 ficiency, a credential, a certificate, or a de-  
 3 gree; and

4 “(B) include competency-based applied  
 5 learning that contributes to the academic  
 6 knowledge, higher-order reasoning and problem-  
 7 solving skills, work attitudes, general employ-  
 8 ability skills, technical skills, occupation-specific  
 9 skills, and knowledge of all aspects of an indus-  
 10 try, including entrepreneurship, of an indi-  
 11 vidual.

12 “(6) CAREER AND TECHNICAL EDUCATION STU-  
 13 DENT.—The term ‘career and technical education  
 14 student’ means a student who enrolls in a clearly de-  
 15 fined sequence of career and technical education  
 16 courses (which may include work-based learning ex-  
 17 periences) leading to attainment of technical skill  
 18 proficiency, a credential, a certificate, or a degree.

19 “(7) CAREER AND TECHNICAL STUDENT ORGA-  
 20 NIZATION.—

21 “(A) IN GENERAL.—The term ‘career and  
 22 technical student organization’ means an orga-  
 23 nization for individuals enrolled in a career and  
 24 technical education program that engages in ca-

1           reer and technical education activities as an in-  
2           tegral part of the instructional program.

3           “(B) STATE AND NATIONAL UNITS.—An  
4           organization described in subparagraph (A)  
5           may have State and national units that aggre-  
6           gate the work and purposes of instruction in ca-  
7           reer and technical education at the local level.

8           “(8) CAREER GUIDANCE AND ACADEMIC COUN-  
9           SELING.—The term ‘career guidance and academic  
10          counseling’ means providing access to information  
11          regarding career awareness and planning with re-  
12          spect to an individual’s occupational and academic  
13          future that shall involve guidance and counseling  
14          with respect to career options, including bacca-  
15          laureate degree programs, financial aid, and postsec-  
16          ondary options.

17          “(9) CAREER PATHWAY.—The term ‘career  
18          pathway’ means a coordinated and nonduplicative  
19          sequence of courses (which may include work-based  
20          learning experiences) and associated credits that—

21               “(A) shall identify both secondary and  
22               postsecondary education elements;

23               “(B) shall include challenging academic  
24               and career and technical education content that  
25               adequately prepares students to pursue the



1 postsecondary education element identified  
 2 under subparagraph (A);

3 “(C) may include the opportunity for sec-  
 4 ondary students to participate in dual or con-  
 5 current enrollment programs or other ways to  
 6 acquire postsecondary credits; and

7 “(D) culminates in technical skill pro-  
 8 ficiency, an industry-recognized credential, a  
 9 certificate, a degree, or completion of a recog-  
 10 nized apprenticeship program.”;

11 (7) in paragraph (10) (as redesignated by para-  
 12 graph (2)), by striking “5206” and inserting  
 13 “5210”;

14 (8) by inserting after paragraph (10) (as redес-  
 15 igned by paragraph (2)) the following:

16 “(11) COMMUNITY COLLEGE.—The term ‘com-  
 17 munity college’—

18 “(A) means an institution of higher edu-  
 19 cation, as defined in section 101 of the Higher  
 20 Education Act of 1965, that provides not less  
 21 than a 2-year program that is acceptable for  
 22 full credit toward a baccalaureate degree; and

23 “(B) includes tribally controlled colleges or  
 24 universities.”;

1 (9) in paragraph (12) (as redesignated by para-  
2 graph (2))—

3 (A) by striking “method of instruction”  
4 and inserting “method”; and

5 (B) by striking “vocational” and inserting  
6 “career”;

7 (10) by inserting after paragraph (12) (as re-  
8 designated by paragraph (2) and amended by para-  
9 graph (9)) the following:

10 “(13) CORE ACADEMIC SUBJECTS.—The term  
11 ‘core academic subjects’ has the meaning given the  
12 term in section 9101 of the Elementary and Sec-  
13 ondary Education Act of 1965, except that under  
14 this Act such subjects included in such term shall be  
15 only those subjects in a secondary school context.”;

16 (11) in paragraph (16) (as redesignated by  
17 paragraph (2)), by striking “vocational” both places  
18 the term appears and inserting “career”;

19 (12) in paragraph (17) (as redesignated by  
20 paragraph (2))—

21 (A) in subparagraph (A), by striking “an  
22 institution of higher education” and inserting  
23 “a public or nonprofit private institution of  
24 higher education that offers career and tech-  
25 nical education courses that lead to technical

1 skill proficiency, an industry-recognized creden-  
 2 tial, a certificate, or a degree”; and

3 (B) in subparagraph (C), by striking “vo-  
 4 cational” and inserting “career”;

5 (13) in paragraph (18)(A) (as redesignated by  
 6 paragraph (2)), by striking “agency, an area voca-  
 7 tional” and inserting “agency (including a public  
 8 charter school that operates as a local educational  
 9 agency), an area career”;

10 (14) by inserting after paragraph (19) (as re-  
 11 designated by paragraph (2)) the following:

12 “(20) GRADUATION AND CAREER PLAN.—The  
 13 term ‘graduation and career plan’ means a written  
 14 plan for a secondary career and technical education  
 15 student, that—

16 “(A) is developed with career guidance and  
 17 academic counseling or other professional staff,  
 18 and in consultation with parents, not later than  
 19 in the first year of secondary school or upon en-  
 20 rollment in career and technical education;

21 “(B) is reviewed annually and modified as  
 22 needed;

23 “(C) includes relevant information on—

24 “(i) secondary school requirements for  
 25 graduating with a diploma;

1 “(ii) postsecondary education admis-  
2 sion requirements; and

3 “(iii) high skill, high wage, or high de-  
4 mand occupations and nontraditional fields  
5 in emerging and established professions,  
6 and labor market indicators; and

7 “(D) states the student’s secondary school  
8 graduation goals, postsecondary education and  
9 training, or employment goals, and identifies 1  
10 or more career pathways that correspond to the  
11 goals.”;

12 (15) by inserting after paragraph (24) (as re-  
13 designated by paragraph (2)) the following:

14 “(25) LOCAL WORKFORCE INVESTMENT  
15 BOARD.—The term ‘local workforce investment  
16 board’ means a local workforce investment board es-  
17 tablished under section 117 of the Workforce Invest-  
18 ment Act of 1998 (29 U.S.C. 2832).”;

19 (16) in paragraph (26) (as redesignated by  
20 paragraph (2))—

21 (A) in the paragraph heading, by striking  
22 “TRAINING AND EMPLOYMENT” and inserting  
23 “FIELDS”; and

24 (B) by striking “training and employment”  
25 and inserting “fields”;

1           (17) in paragraph (27) (as redesignated by  
2           paragraph (2)), by striking “the Commonwealth”  
3           and all that follows through the period and inserting  
4           “and the Commonwealth of the Northern Mariana  
5           Islands.”;

6           (18) by inserting after paragraph (31) (as re-  
7           designated by paragraph (2)) the following:

8           “(32) SELF-SUFFICIENCY.—The term ‘self-suf-  
9           ficiency’ means a standard that is adopted, cal-  
10          culated, or commissioned by a local area or State,  
11          and which adjusts for local factors, in specifying the  
12          income needs of families, by family size, the number  
13          and ages of children in the family, and sub-State  
14          geographical considerations.”;

15          (19) in paragraph (33) (as redesignated by  
16          paragraph (2))—

17                (A) in subparagraph (C), by striking  
18                “training and employment” and inserting  
19                “fields”; and

20                (B) in subparagraph (F), by striking “indi-  
21                viduals with other barriers to educational  
22                achievement, including”;

23          (20) in paragraph (35) (as redesignated by  
24          paragraph (2)) by striking “, and instructional aids

1       and devices” and inserting “instructional aids, and  
2       work supports”;

3               (21) by striking paragraph (36) (as redesignig-  
4       nated by paragraph (2)) and inserting the following:

5               “(36) TECH-PREP PROGRAM.—The term ‘tech-  
6       prep program’ means a program of study that—

7                       “(A) combines at a minimum 2 years of  
8       secondary education (as determined under State  
9       law) with a minimum of 2 years of postsec-  
10      ondary education in a nonduplicative, sequential  
11      course of study;

12                      “(B) integrates academic and career and  
13      technical education instruction, and utilizes  
14      work-based and worksite learning where appro-  
15      priate and available;

16                      “(C) provides technical preparation in a  
17      career field, including high skill, high wage, or  
18      high demand occupations;

19                      “(D) builds student competence in tech-  
20      nical skills and in core academic subjects, as  
21      appropriate, through applied, contextual, and  
22      integrated instruction, in a coherent sequence  
23      of courses (which may include work-based  
24      learning experiences);

1 “(E) leads to technical skill proficiency, an  
 2 industry-recognized credential, a certificate, or  
 3 a degree, in a specific career field;

4 “(F) leads to placement in high skill, high  
 5 wage employment or to further education; and

6 “(G) utilizes career pathways, to the extent  
 7 practicable.”; and

8 (22) in paragraph (38) (as redesignated by  
 9 paragraph (2))—

10 (A) in the paragraph heading, by striking  
 11 “VOCATIONAL” and inserting “CAREER”;

12 (B) in the matter preceding subparagraph  
 13 (A)—

14 (i) by striking “vocational” and in-  
 15 serting “career”;

16 (ii) by striking “paragraph (2)” and  
 17 inserting “subsection (a)(2)”; and

18 (iii) by striking “paragraph (5)(A)”  
 19 and inserting “subsection (a)(5)”; and

20 (C) in subparagraph (F), by striking “vo-  
 21 cational” and inserting “career”.

## 22 **SEC. 5. TRANSITION PROVISIONS.**

23 Section 4 (20 U.S.C. 2303) is amended by striking  
 24 “the Carl D. Perkins Vocational and Applied Technology  
 25 Education Act” and all that follows through the period

1 and inserting “this Act, as this Act was in effect on the  
 2 day before the date of enactment of the Carl D. Perkins  
 3 Career and Technical Education Improvement Act of  
 4 2005. Each eligible agency shall be assured a full fiscal  
 5 year for transition to plan for and implement the require-  
 6 ments of this Act.”.

7 **SEC. 6. LIMITATION.**

8 Section 6 (20 U.S.C. 2305) is amended by striking  
 9 the second sentence.

10 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 8 (20 U.S.C. 2307) is amended—

12 (1) by striking “title II” and inserting “part D  
 13 of title I”; and

14 (2) by striking “1999 through 2003” and in-  
 15 serting “2006 through 2011”.

16 **TITLE I—CAREER AND TECH-**  
 17 **NICAL EDUCATION ASSIST-**  
 18 **ANCE TO THE STATES**

19 **SEC. 101. CAREER AND TECHNICAL EDUCATION ASSIST-**  
 20 **ANCE TO THE STATES.**

21 Title I (20 U.S.C. 2321 et seq.) is amended by strik-  
 22 ing the title heading and inserting the following:



1 **“TITLE I—CAREER AND TECH-**  
 2 **NICAL EDUCATION ASSIST-**  
 3 **ANCE TO THE STATES”.**

4 **SEC. 102. RESERVATIONS AND STATE ALLOTMENT.**

5 Section 111(a) (20 U.S.C. 2321(a)) is amended—

6 (1) in paragraph (1)(C), by striking “2001  
 7 through 2003,” and inserting “2006 through  
 8 2011,”; and

9 (2) by striking paragraphs (3) and (4) and in-  
 10 serting the following:

11 “(3) MINIMUM ALLOTMENT.—Subject to para-  
 12 graph (4), no State, other than the United States  
 13 Virgin Islands, shall receive for a fiscal year under  
 14 this subsection less than  $\frac{1}{2}$  of 1 percent of the  
 15 amount appropriated under section 8 and not re-  
 16 served under paragraph (1) for such fiscal year.  
 17 Amounts necessary for increasing such payments to  
 18 States to comply with the preceding sentence shall  
 19 be obtained by ratably reducing the amounts to be  
 20 paid to other States.

21 “(4) HOLD HARMLESS.—

22 “(A) FISCAL YEARS 2006 THROUGH 2008.—

23 Notwithstanding paragraph (3), no State shall  
 24 receive an allotment under this section for each  
 25 of the fiscal years 2006 through 2008 that is

less than the allotment the State received under this part (as this part was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005) for fiscal year 2005.

“(B) FISCAL YEARS 2009 THROUGH 2011.—Notwithstanding paragraph (3), no State shall receive an allotment under this section for each of the fiscal years 2009 through 2011 that is less than 95 percent of the allotment the State received under this section for the preceding fiscal year.

“(C) RATABLE REDUCTION.—If for any fiscal year the amount appropriated for allotments under this section is insufficient to satisfy the requirements of subparagraph (A) or (B), the payments to all States under such subparagraph shall be ratably reduced.”.

**SEC. 103. WITHIN STATE ALLOCATION.**

Section 112 (20 U.S.C. 2322) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by adding “and” after the semicolon; and

(B) by striking paragraphs (2) and (3) and inserting the following:

1           “(2) not more than 15 percent or \$750,000,  
2           whichever is greater, for—

3           “(A) State leadership activities described  
4           in section 124, of which—

5           “(i) an amount determined by the eli-  
6           gible agency shall be made available to  
7           serve individuals in State institutions, such  
8           as State correctional institutions and insti-  
9           tutions that serve individuals with disabil-  
10          ities; and

11          “(ii) not less than \$60,000 shall be  
12          available for services that prepare individ-  
13          uals for nontraditional fields; and

14          “(B) administration of the State plan,  
15          which may be used for the costs of—

16               “(i) developing the State plan;

17               “(ii) reviewing the local plans;

18               “(iii) monitoring and evaluating pro-  
19               gram effectiveness;

20               “(iv) assuring compliance with all ap-  
21               plicable Federal laws;

22               “(v) providing technical assistance;  
23               and

1 “(vi) supporting and developing State  
 2 data systems relevant to the provisions of  
 3 this Act.”;

4 (2) in subsection (b), by striking “subsection  
 5 (a)(3)” both places the term appears and inserting  
 6 “subsection (a)(2)(B)”; and

7 (3) by striking subsection (c) and inserting the  
 8 following:

9 “(c) RESERVE.—From amounts made available  
 10 under subsection (a)(1) to carry out this subsection, an  
 11 eligible agency may—

12 “(1) award grants to eligible recipients, or con-  
 13 sortia of eligible recipients, for career and technical  
 14 education activities described in section 135 in—

15 “(A) rural areas; or

16 “(B) areas with high percentages or high  
 17 numbers of career and technical education stu-  
 18 dents;

19 “(2) reserve funds, with the approval of partici-  
 20 pating eligible recipients, for—

21 “(A) innovative statewide initiatives that  
 22 demonstrate benefits for eligible recipients,  
 23 which may include—

24 “(i) developing and implementing  
 25 technical assessments;

1 “(ii) improving the initial preparation  
 2 and professional development of career and  
 3 technical education teachers, faculty, prin-  
 4 cipals, administrators, and counselors; and  
 5 “(iii) establishing, enhancing, and  
 6 supporting systems for accountability data  
 7 collection or reporting purposes; or  
 8 “(B) the development and implementation  
 9 of career pathways or career clusters; and  
 10 “(3) carry out activities described in para-  
 11 graphs (1) and (2).”.

12 **SEC. 104. ACCOUNTABILITY.**

13 Section 113 (20 U.S.C. 2323) is amended—

14 (1) by striking “vocational” each place the term  
 15 appears and inserting “career”;

16 (2) in subsection (a)—

17 (A) by striking “a State performance ac-  
 18 countability system” and inserting “and sup-  
 19 port State and local performance accountability  
 20 systems”; and

21 (B) by inserting “and its eligible recipi-  
 22 ents” after “of the State”;

23 (3) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking  
 2 “paragraph (2)(A)” and inserting “sub-  
 3 paragraphs (A) and (B) of paragraph (2)”;  
 4 and

5 (ii) in subparagraph (B), by striking  
 6 “(2)(B)” and inserting “(2)(C)”;  
 7 (B) in paragraph (2)—

8 (i) by striking subparagraph (A) and  
 9 inserting the following:

10 “(A) CORE INDICATORS OF PERFORMANCE  
 11 FOR SECONDARY CAREER AND TECHNICAL EDU-  
 12 CATION STUDENTS.—Each eligible agency shall  
 13 identify in the State plan core indicators of per-  
 14 formance for secondary career and technical  
 15 education students that include, at a minimum,  
 16 measures of each of the following:

17 “(i) Student achievement on technical  
 18 assessments and attainment of career and  
 19 technical skill proficiencies that are aligned  
 20 with nationally recognized industry stand-  
 21 ards, if available and appropriate.

22 “(ii) Student attainment of chal-  
 23 lenging academic content standards and  
 24 student academic achievement standards,  
 25 as adopted by the State under section

1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the academic assessments described in section 1111(b)(3) of such Act, consistent with State requirements.

“(iii) Student rates of attainment of—

“(I) a secondary school diploma;

“(II) the recognized equivalent of a secondary school diploma;

“(III) technical skill proficiency;

“(IV) an industry-recognized credential;

“(V) a certificate; and

“(VI) a degree.

“(iv) Placement in postsecondary education, military service, apprenticeship programs, or employment.

“(v) Student participation in, and completion of, career and technical education programs that lead to employment or self-employment in nontraditional fields.”;

1 (ii) by redesignating subparagraphs  
 2 (B) through (D) as subparagraphs (C)  
 3 through (E), respectively;

4 (iii) by inserting after subparagraph  
 5 (A) the following:

6 “(B) CORE INDICATORS OF PERFORMANCE  
 7 FOR POSTSECONDARY CAREER AND TECHNICAL  
 8 STUDENTS.—Each eligible agency shall identify  
 9 in the State plan core indicators of performance  
 10 for postsecondary career and technical edu-  
 11 cation students that include, at a minimum,  
 12 measures of each of the following:

13 “(i) Student achievement on technical  
 14 assessments and attainment of career and  
 15 technical skill proficiencies that are aligned  
 16 with nationally recognized industry stand-  
 17 ards, if available and appropriate.

18 “(ii) Student attainment of technical  
 19 skill proficiency, an industry-recognized  
 20 credential, a certificate, or a degree, or re-  
 21 tention in postsecondary education, includ-  
 22 ing transfer to a baccalaureate degree pro-  
 23 gram.

24 “(iii) Placement in military service,  
 25 apprenticeship programs, or employment.



“(iv) Student participation in, and completion of, career and technical education programs that lead to employment or self-employment in—

“(I) nontraditional fields; and

“(II) high skill, high wage, high demand occupations or professions.

“(v) Increase in earnings, where available.”;

(iv) in subparagraph (C) (as redesignated by clause (ii) of this subparagraph), by striking “the title.” and inserting “this title, such as attainment of self-sufficiency.”;

(v) in subparagraph (D) (as redesignated by clause (ii) of this subparagraph), by inserting “career and technical education” after “developed State”;

(vi) in subparagraph (E) (as redesignated by clause (ii) of this subparagraph)—

(I) by striking “this paragraph” and inserting “subparagraphs (A) and (B)”;

(II) by striking “solely”; and

1 (III) by striking “recipients.”  
 2 and inserting “recipients, and shall  
 3 meet the requirements of this sec-  
 4 tion.”; and

5 (vii) by adding at the end the fol-  
 6 lowing:

7 “(F) ALIGNMENT OF PERFORMANCE INDI-  
 8 CATORS.—In the course of identifying core indi-  
 9 cators of performance and additional indicators  
 10 of performance, States shall, to the greatest ex-  
 11 tent possible, define the indicators so that sub-  
 12 stantially similar information gathered for other  
 13 State and Federal programs, or any other pur-  
 14 pose, is used to meet the requirements of this  
 15 section.”;

16 (C) in paragraph (3)—

17 (i) in the paragraph heading, by strik-  
 18 ing “LEVELS” and inserting “STATE LEV-  
 19 ELS”;

20 (ii) in subparagraph (A)—

21 (I) in clause (i)—

22 (aa) by striking “paragraph  
 23 (2)(A)” and inserting “subpara-  
 24 graphs (A) and (B) of paragraph  
 25 (2)”;

1 (bb) by inserting “after tak-  
 2 ing into account the local ad-  
 3 justed levels of performance and”  
 4 after “eligible agency,”; and

5 (cc) by striking subclause  
 6 (II) and inserting the following:

7 “(II) require the eligible recipi-  
 8 ents to make continuous and signifi-  
 9 cant improvement in career and tech-  
 10 nical achievement of career and tech-  
 11 nical education students, including  
 12 special populations.”;

13 (II) in clause (v)—

14 (aa) in the clause heading,  
 15 by striking “3RD, 4TH, AND 5TH”  
 16 and inserting “SUBSEQUENT”;

17 (bb) by striking “third pro-  
 18 gram year” and inserting “third  
 19 and fifth program years”; and

20 (cc) by striking “third,  
 21 fourth, and fifth” and inserting  
 22 “corresponding subsequent”;

23 (III) in clause (vi)(II), by insert-  
 24 ing “and significant” after “contin-  
 25 uous”; and

1 (IV) in clause (vii), by striking  
 2 “or (vi)” and inserting “or (v)”; and  
 3 (iii) in subparagraph (B), by striking  
 4 “(2)(B)” and inserting “(2)(C)”; and  
 5 (D) by adding at the end the following:

6 “(4) LOCAL LEVELS OF PERFORMANCE.—

7 “(A) LOCAL ADJUSTED LEVELS OF PER-  
 8 FORMANCE FOR CORE INDICATORS OF PER-  
 9 FORMANCE.—

10 “(i) IN GENERAL.—Each eligible re-  
 11 cipient shall agree to accept the State ad-  
 12 justed levels of performance established  
 13 under paragraph (3) as local adjusted lev-  
 14 els of performance, or negotiate with the  
 15 State to reach agreement on new local ad-  
 16 justed levels of performance, for each of  
 17 the core indicators of performance de-  
 18 scribed in subparagraphs (A) and (B) of  
 19 paragraph (2) for career and technical  
 20 education activities authorized under this  
 21 title. The levels of performance established  
 22 under this subparagraph shall, at a  
 23 minimum—

24 “(I) be expressed in a percentage  
 25 or numerical form, so as to be objec-

1                   tive, quantifiable, and measurable;  
2                   and

3                   “(II) require the eligible recipient  
4                   to make continuous and significant  
5                   improvement in career and technical  
6                   achievement of career and technical  
7                   education students.

8                   “(ii) IDENTIFICATION IN THE LOCAL  
9                   PLAN.—Each eligible recipient shall iden-  
10                  tify, in the local plan submitted under sec-  
11                  tion 134, levels of performance for each of  
12                  the core indicators of performance for the  
13                  first 2 program years covered by the local  
14                  plan.

15                  “(iii) AGREEMENT ON LOCAL AD-  
16                  JUSTED LEVELS OF PERFORMANCE FOR  
17                  FIRST 2 YEARS.—The eligible agency and  
18                  each eligible recipient shall reach agree-  
19                  ment, as described in clause (i), on the eli-  
20                  gible recipient’s levels of performance for  
21                  each of the core indicators of performance  
22                  for the first 2 program years covered by  
23                  the local plan, taking into account the lev-  
24                  els identified in the local plan under clause  
25                  (ii) and the factors described in clause (v).

1           The levels of performance agreed to under  
 2           this clause shall be considered to be the  
 3           local adjusted levels of performance for the  
 4           eligible recipient for such years and shall  
 5           be incorporated into the local plan prior to  
 6           the approval of such plan.

7           “(iv) AGREEMENT ON LOCAL AD-  
 8           JUSTED LEVELS OF PERFORMANCE FOR  
 9           SUBSEQUENT YEARS.—Prior to the third  
 10          and fifth program years covered by the  
 11          local plan, the eligible agency and each eli-  
 12          gible recipient shall reach agreement on  
 13          the local adjusted levels of performance for  
 14          each of the core indicators of performance  
 15          for the corresponding subsequent program  
 16          years covered by the local plan, taking into  
 17          account the factors described in clause (v).  
 18          The local adjusted levels of performance  
 19          agreed to under this clause shall be consid-  
 20          ered to be the local adjusted levels of per-  
 21          formance for the eligible recipient for such  
 22          years and shall be incorporated into the  
 23          local plan.

1 “(v) FACTORS.—The agreement de-  
 2 scribed in clause (iii) or (iv) shall take into  
 3 account—

4 “(I) how the levels of perform-  
 5 ance involved compare with the local  
 6 adjusted levels of performance estab-  
 7 lished for other eligible recipients, tak-  
 8 ing into account factors including the  
 9 characteristics of participants when  
 10 the participants entered the program  
 11 and the services or instruction to be  
 12 provided; and

13 “(II) the extent to which the  
 14 local adjusted levels of performance  
 15 involved promote continuous and sig-  
 16 nificant improvement on the core indi-  
 17 cators of performance by the eligible  
 18 recipient.

19 “(vi) REVISIONS.—If unanticipated  
 20 circumstances arise with respect to an eli-  
 21 gible recipient resulting in a significant  
 22 change in the factor described in clause  
 23 (v)(II), the eligible recipient may request  
 24 that the local adjusted levels of perform-  
 25 ance agreed to under clause (iii) or (iv) be

1 revised. The eligible agency shall issue ob-  
 2 jective criteria and methods for making  
 3 such revisions.

4 “(B) LEVELS OF PERFORMANCE FOR AD-  
 5 DITIONAL INDICATORS.—Each eligible recipient  
 6 may identify, in the local plan, local levels of  
 7 performance for any additional indicators of  
 8 performance described in paragraph (2)(C).  
 9 Such levels shall be considered to be the local  
 10 levels of performance for purposes of this title.

11 “(C) REPORT.—Each eligible recipient  
 12 that receives an allocation under section 131  
 13 shall publicly report, on an annual basis, its  
 14 progress in achieving the local adjusted levels of  
 15 performance on the core indicators of perform-  
 16 ance.”; and

17 (4) by striking subsection (c)(1)(B) and insert-  
 18 ing:

19 “(B) information on the levels of perform-  
 20 ance achieved by the State with respect to the  
 21 additional indicators of performance, including  
 22 the levels of performance disaggregated for  
 23 postsecondary institutions, by special popu-  
 24 lations and gender, and for secondary institu-  
 25 tions, by special populations and by the cat-



egories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual.”.

**9 SEC. 105. NATIONAL ACTIVITIES.**

10 Section 114 (20 U.S.C. 2324) is amended—

11 (1) by striking “vocational” each place the term  
12 appears and inserting “career”;

13 (2) in subsection (a)(1), by striking “, including  
14 an analysis of performance data regarding special  
15 populations” and inserting “, including an analysis  
16 of performance data that is disaggregated for post-  
17 secondary institutions, by special populations, and  
18 for secondary institutions, by special populations and  
19 by the categories described in section  
20 1111(h)(1)(C)(i) of the Elementary and Secondary  
21 Education Act of 1965, except that such  
22 disaggregation shall not be required in a case in  
23 which the number of individuals in a category is in-  
24 sufficient to yield statistically reliable information or

1 the results would reveal personally identifiable infor-  
 2 mation about an individual”;

3 (3) in subsection (c)—

4 (A) by striking paragraph (2) and insert-  
 5 ing the following:

6 “(2) INDEPENDENT ADVISORY PANEL.—

7 “(A) IN GENERAL.—The Secretary shall  
 8 appoint an independent advisory panel to advise  
 9 the Secretary on the implementation of the as-  
 10 sessment described in paragraph (3), including  
 11 the issues to be addressed and the methodology  
 12 of the studies involved to ensure that the as-  
 13 sessment adheres to the highest standards of  
 14 quality.

15 “(B) MEMBERS.—The advisory panel shall  
 16 consist of—

17 “(i) educators, principals, administra-  
 18 tors, and chief executives (including State  
 19 directors of career and technical edu-  
 20 cation), with expertise in the integration of  
 21 academic and career and technical edu-  
 22 cation;

23 “(ii) experts in evaluation, research,  
 24 and assessment;

“(iii) representatives of labor organizations and businesses, including small businesses, economic development entities, and State workforce investment boards established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821) or local workforce investment boards;

“(iv) parents;

“(v) career guidance and academic counseling professionals; and

“(vi) other individuals and intermediaries with relevant expertise.

“(C) INDEPENDENT ANALYSIS.—The advisory panel shall transmit to the Secretary and to the relevant committees of Congress an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (3).

“(D) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel established under this paragraph.”;

(B) in paragraph (3)—

(i) by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—From amounts made available under subsection (d), the Secretary shall provide for the conduct of an independent evaluation and assessment of career and technical education programs under this Act, including the implementation of the Carl D. Perkins Career and Technical Education Improvement Act of 2005, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.”;

(ii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

“(iii) the preparation and qualifications of teachers and faculty of career and technical education, as well as shortages of such teachers and faculty;”;

(II) by striking clause (v) and inserting the following:

“(v) academic and career and technical education achievement and employment outcomes of career and technical education students, including analyses of—

1 “(I) the number of career and  
 2 technical education students and tech-  
 3 prep students who meet the State ad-  
 4 justed levels of performance estab-  
 5 lished under section 113;

6 “(II) the extent and success of  
 7 integration of challenging academic  
 8 and career and technical education for  
 9 students participating in career and  
 10 technical education programs;

11 “(III) the extent to which career  
 12 and technical education programs pre-  
 13 pare students, including special popu-  
 14 lations, for subsequent employment in  
 15 high skill, high wage occupations, or  
 16 participation in postsecondary edu-  
 17 cation; and

18 “(IV) the number of career and  
 19 technical education students receiving  
 20 a high school diploma;”;

21 (III) in clause (vi), by inserting  
 22 “, and career and technical education  
 23 students’ preparation for employ-  
 24 ment” after “programs”; and

- 1 (IV) in clause (viii), by inserting
- 2 “and local” after “State” both places
- 3 such term appears; and
- 4 (iii) in subparagraph (C)—
- 5 (I) in clause (i)—
- 6 (aa) by striking “Committee
- 7 on Education” and all that fol-
- 8 lows through “Senate” and in-
- 9 serting “relevant committees of
- 10 Congress”; and
- 11 (bb) by striking “2002”
- 12 both places it appears and insert-
- 13 ing “2009”; and
- 14 (II) in clause (ii), by striking
- 15 “Committee on Education” and all
- 16 that follows through “Senate” and in-
- 17 serting “relevant committees of Con-
- 18 gress”;
- 19 (C) in paragraph (4)(B), by striking
- 20 “Committee on Education” and all that follows
- 21 through “Senate” and inserting “relevant com-
- 22 mittees of Congress”;
- 23 (D) in paragraph (5)—
- 24 (i) in subparagraph (A)—

- 1 (I) in the matter preceding clause
- 2 (i), by striking “higher education”
- 3 and all that follows through “centers”
- 4 and inserting “higher education offer-
- 5 ing comprehensive graduate programs
- 6 in career and technical education that
- 7 shall be the primary recipient and
- 8 shall collaborate with a public or pri-
- 9 vate nonprofit organization or agency,
- 10 or a consortium of such institutions,
- 11 organizations, or agencies, to establish
- 12 a national research center”;
- 13 (II) in clause (i)—
- 14 (aa) by inserting “and eval-
- 15 uation” after “to carry out re-
- 16 search”; and
- 17 (bb) by inserting “, includ-
- 18 ing special populations,” after
- 19 “participants”;
- 20 (III) by redesignating clauses
- 21 (ii), (iii), and (iv), as clauses (iii), (iv),
- 22 and (v), respectively;
- 23 (IV) by inserting after clause (i)
- 24 the following:

1 “(ii) to carry out research for the pur-  
 2 pose of developing, improving, and identi-  
 3 fying the most successful methods for suc-  
 4 cessfully addressing the needs of employers  
 5 in high skill, high wage business and in-  
 6 dustry, including evaluation and scientif-  
 7 ically based research of—

8 “(I) collaboration between career  
 9 and technical education programs and  
 10 business and industry;

11 “(II) academic and technical  
 12 skills required to respond to the chal-  
 13 lenge of a global economy and rapid  
 14 technological changes; and

15 “(III) technical knowledge and  
 16 skills required to respond to needs of  
 17 a regional or sectoral workforce, in-  
 18 cluding small business;”;

19 (V) in clause (iii) (as redesign-  
 20 nated by subclause (III) of this  
 21 clause), by inserting “that are inte-  
 22 grated with challenging academic in-  
 23 struction” before “, including”; and



1 (VI) by striking clause (iv) (as  
 2 redesignated by subclause (III) of this  
 3 clause) and inserting the following:

4 “(iv) to carry out scientifically based  
 5 research, where appropriate, that can be  
 6 used to improve preparation and profes-  
 7 sional development of teachers, faculty,  
 8 principals, and administrators and student  
 9 learning in the career and technical edu-  
 10 cation classroom, including—

11 “(I) effective in-service and pre-  
 12 service teacher and faculty education  
 13 that assists career and technical edu-  
 14 cation programs in—

15 “(aa) integrating those pro-  
 16 grams with academic content  
 17 standards and student academic  
 18 achievement standards, as adopt-  
 19 ed by States under section  
 20 1111(b)(1) of the Elementary  
 21 and Secondary Education Act of  
 22 1965; and

23 “(bb) promoting technical  
 24 education aligned with industry-  
 25 based standards and certifi-

1 cations to meet regional industry  
 2 needs;

3 “(II) dissemination and training  
 4 activities related to the applied re-  
 5 search and demonstration activities  
 6 described in this subsection, which  
 7 may also include serving as a reposi-  
 8 tory for information on career and  
 9 technical education skills, State aca-  
 10 demic standards, and related mate-  
 11 rials; and

12 “(III) the recruitment and reten-  
 13 tion of career and technical education  
 14 teachers, faculty, counselors, prin-  
 15 cipals, and administrators, including  
 16 individuals in groups underrep-  
 17 resented in the teaching profession;  
 18 and”;

19 (ii) in subparagraph (B)—

20 (I) by striking “or centers” both  
 21 places the term appears; and

22 (II) by striking “Committee on  
 23 Education” and all that follows  
 24 through “Senate” and inserting “rel-  
 25 evant committees of Congress”;

1 (iii) in subparagraph (C), by striking  
2 “or centers”; and

3 (iv) by adding at the end the fol-  
4 lowing:

5 “(D) INDEPENDENT GOVERNING BOARD.—

6 “(i) IN GENERAL.—An institution of  
7 higher education that desires a grant, con-  
8 tract, or cooperative agreement under this  
9 paragraph shall identify, in its application,  
10 an independent governing board for the  
11 center established pursuant to this para-  
12 graph.

13 “(ii) MEMBERS.—The independent  
14 governing board shall consist of the fol-  
15 lowing:

16 “(I) Two representatives of sec-  
17 ondary career and technical education.

18 “(II) Two representatives of  
19 postsecondary career and technical  
20 education.

21 “(III) Two representatives of eli-  
22 gible agencies.

23 “(IV) Two representatives of  
24 business and industry.

1                   “(V) Two representatives of ca-  
 2                   reer and technical teacher preparation  
 3                   institutions.

4                   “(VI) Two nationally recognized  
 5                   researchers in the field of career and  
 6                   technical education.

7                   “(iii) COORDINATION.—The inde-  
 8                   pendent governing board shall ensure that  
 9                   the research and dissemination activities  
 10                  carried out by the center are coordinated  
 11                  with the research activities carried out by  
 12                  the Secretary.”;

13                  (E) in paragraph (6)(B)(ii), by striking  
 14                  “or centers”; and

15                  (F) by striking paragraph (8); and  
 16                  (4) by adding at the end the following:

17                  “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 18                  are authorized to be appropriated to carry out this section  
 19                  such sums as may be necessary for each of fiscal years  
 20                  2006 through 2011.”.

21 **SEC. 106. ASSISTANCE FOR THE OUTLYING AREAS.**

22                  Section 115 (20 U.S.C. 2325) is amended—

23                  (1) by striking “vocational” each place the term  
 24                  appears and inserting “career”;

25                  (2) in subsection (b)—

1 (A) in the matter preceding paragraph (1),  
 2 by striking “the Republic of the Marshall Is-  
 3 lands, the Federated States of Micronesia,”;

4 (B) in paragraph (1), by striking “training  
 5 and retraining;” and inserting “preparation;”;

6 (C) by redesignating paragraphs (2) and  
 7 (3) as paragraphs (3) and (4), respectively; and

8 (D) by inserting after paragraph (1) the  
 9 following:

10 “(2) professional development for teachers, fac-  
 11 ulty, principals, and administrators;” and

12 (3) in subsection (d)—

13 (A) by striking “the Republic of the Mar-  
 14 shall Islands, the Federated States of Micro-  
 15 nesia, and”; and

16 (B) by striking “2001” and inserting  
 17 “2007”.

18 **SEC. 107. NATIVE AMERICAN PROGRAM.**

19 Section 116 (20 U.S.C. 2326) is amended—

20 (1) by striking “vocational” each place the term  
 21 appears and inserting “career”;

22 (2) in subsection (a)(5), by adding a period at  
 23 the end;

24 (3) in subsection (b)—

1 (A) in paragraph (1), by striking “(d)”  
 2 and inserting “(c)”; and

3 (B) in paragraph (2), by striking “(other  
 4 than in subsection (i))”;

5 (4) in subsection (d), by striking “section an”  
 6 and inserting “section, an”;

7 (5) in subsection (e), by striking “paragraph”  
 8 and inserting “section”; and

9 (6) in subsection (h), by striking “which are  
 10 recognized by the Governor of the State of Hawaii”.

11 **SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CA-**  
 12 **REER AND TECHNICAL INSTITUTIONS.**

13 Section 117 (20 U.S.C. 2327) is amended—

14 (1) by striking the section heading and insert-  
 15 ing the following:

16 **“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CA-**  
 17 **REER AND TECHNICAL INSTITUTIONS.”;**

18 (2) by striking “vocational” each place the term  
 19 appears and inserting “career”;

20 (3) in subsection (g)—

21 (A) in paragraph (1), by striking “The  
 22 Secretary” and inserting “On an annual basis,  
 23 the Secretary”;

24 (B) in paragraph (2)(B), by striking  
 25 “2000” and inserting “2007”; and

1 (C) in paragraph (3)(C), by striking “be-  
 2 ginning” and all that follows through the period  
 3 and inserting “beginning on the date of enact-  
 4 ment of the Carl D. Perkins Career and Tech-  
 5 nical Education Improvement Act of 2005.”;

6 (4) by redesignating subsections (h) and (i) as  
 7 subsections (j) and (k), respectively;

8 (5) by inserting after subsection (g) the fol-  
 9 lowing:

10 “(h) APPEALS.—

11 “(1) IN GENERAL.—Subject to paragraph (2),  
 12 the Secretary shall provide a tribally controlled post-  
 13 secondary career and technical institution with a  
 14 hearing on the record before an administrative law  
 15 judge with respect to the following determinations:

16 “(A) A determination that such institution  
 17 is not eligible for a grant under this section.

18 “(B) A determination regarding the cal-  
 19 culation of the amount of a grant awarded  
 20 under this section.

21 “(2) PROCEDURE FOR APPEAL.—To appeal a  
 22 determination described in paragraph (1), a tribally  
 23 controlled postsecondary career and technical insti-  
 24 tution shall—

1           “(A) in the case of an appeal based on a  
 2           determination that such institution is not eligi-  
 3           ble for a grant under this section, file a notice  
 4           of appeal with the Secretary not later than 30  
 5           days after receipt of such determination; and

6           “(B) in the case of an appeal based on a  
 7           determination regarding the calculation of the  
 8           amount of a grant awarded under this  
 9           section—

10           “(i) file a notice of appeal with the  
 11           Secretary not later than 30 days after re-  
 12           ceipt of the Secretary’s notification of the  
 13           grant amount; and

14           “(ii) identify the amount of funding  
 15           that gives rise to such appeal.

16           “(3) WITHHOLDING OF AMOUNT.—If a tribally  
 17           controlled postsecondary career and technical insti-  
 18           tution appeals a determination described in para-  
 19           graph (1), the Secretary shall withhold the amount  
 20           in dispute from the award of grant funds under this  
 21           section until such time as the administrative law  
 22           judge has issued a written decision on the appeal.

23           “(i) RESTRICTED INDIRECT COST.—Notwithstanding  
 24           any other provision of law, the Secretary shall not request



1 the use of a restricted indirect cost rate for grants award-  
 2 ed under this section.”; and

3 (6) by striking subsection (k) (as redesignated  
 4 by paragraph (4) of this section) and inserting the  
 5 following:

6 “(k) AUTHORIZATION OF APPROPRIATIONS.—There  
 7 are authorized to be appropriated to carry out this section  
 8 \$10,000,000 for fiscal year 2006 and such sums as may  
 9 be necessary for each of the 5 succeeding fiscal years.”.

10 **SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMA-**  
 11 **TION.**

12 Section 118 (20 U.S.C. 2328) is amended—

13 (1) in subsection (a)—

14 (A) in the matter preceding paragraph (1),  
 15 by striking “(f)” and inserting “(g)”;

16 (B) in paragraph (1)—

17 (i) in subparagraph (A), by striking  
 18 “(b)” both places it appears and inserting  
 19 “(c)”;

20 (ii) in subparagraph (B), by striking  
 21 “(b)” and inserting “(c)”;

22 (iii) in subparagraph (C), by striking  
 23 “(b)” and inserting “(c)”;

24 (C) in paragraph (2), by striking “(b)”  
 25 both places it appears and inserting “(c)”;

1           (2) by redesignating subsections (b) through (f)  
2           as subsections (c) through (g), respectively;

3           (3) by inserting after subsection (a) the fol-  
4           lowing:

5           “(b) STATE APPLICATION.—

6                 “(1) IN GENERAL.—Each State desiring assist-  
7           ance under this section shall submit an application  
8           to the Secretary at the same time the State submits  
9           its State plan under section 122, in such manner,  
10          and accompanied by such additional information, as  
11          the Secretary may reasonably require.

12          “(2) CONTENTS.—Each application submitted  
13          under paragraph (1) shall include—

14                 “(A) a description of how the State entity  
15           designated in subsection (c) will provide infor-  
16           mation based on labor market trends to inform  
17           program development; and

18                 “(B) information about the academic con-  
19           tent standards and student academic achieve-  
20           ment standards adopted by the State under sec-  
21           tion 1111(b)(1) of the Elementary and Sec-  
22           ondary Education Act of 1965.”;

23          (4) in subsection (c) (as redesignated by para-  
24          graph (2) of this section)—

1 (A) in paragraph (1), by striking “individ-  
 2 uals” and all that follows through the semicolon  
 3 and inserting “students and parents, including  
 4 postsecondary education and training, including  
 5 academic and technical preparation for high  
 6 skill, high wage, or high demand occupations  
 7 and nontraditional fields in emerging or estab-  
 8 lished professions;”;

9 (B) in paragraph (2), by inserting “aca-  
 10 demic and career and technical” after “relate”;

11 (C) by striking paragraph (3) and insert-  
 12 ing the following:

13 “(3) to equip teachers, faculty, administrators,  
 14 and counselors with the knowledge, skills, and occu-  
 15 pational information needed to assist parents and all  
 16 students, especially special populations underrep-  
 17 resented in certain careers, with career exploration,  
 18 educational opportunities, education financing, and  
 19 exposure to high skill, high wage, or high demand  
 20 occupations and nontraditional fields, including oc-  
 21 cupations and fields requiring a baccalaureate de-  
 22 gree;”;

23 (D) in paragraph (4), by striking “such  
 24 entities;” and inserting “such entities, with an  
 25 emphasis on high skill, high wage, or high de-

1           mand occupations in emerging or established  
2           professions;”;

3           (E) in paragraph (5), by striking “and”  
4           after the semicolon;

5           (F) in paragraph (6), by striking the pe-  
6           riod and inserting “; and”; and

7           (G) by adding at the end the following:

8           “(7) to provide information, if available, for  
9           each occupation, on—

10           “(A) the average earnings of an individual  
11           in the occupation at entry level and after 5  
12           years of employment;

13           “(B) the expected lifetime earnings; and

14           “(C) the expected future demand for the  
15           occupation, based on employment projections.”;

16           (5) in subsection (d)(1) (as redesignated by  
17           paragraph (2) of this section), by striking “(b)”  
18           both places it appears and inserting “(c)”;

19           (6) in subsection (e)(1) (as redesignated by  
20           paragraph (2) of this section), by striking “(b)” and  
21           inserting “(c)”;

22           (7) in subsection (f)(1) (as redesignated by  
23           paragraph (2) of this section), by striking “an iden-  
24           tification” and inserting “a description”; and

1           (8) in subsection (g) (as redesignated by para-  
 2           graph (2) of this section), by striking “1999 through  
 3           2003” and inserting “2006 through 2011”.

4 **SEC. 110. STATE ADMINISTRATION.**

5           Section 121 (20 U.S.C. 2341) is amended—

6           (1) by redesignating subsection (a)(2) as sub-  
 7           section (b) and indenting appropriately;

8           (2) by redesignating subparagraphs (A) through  
 9           (D) of subsection (a)(1) as paragraphs (1) through  
 10          (4), respectively, and indenting appropriately;

11          (3) by redesignating clauses (i) and (ii) of para-  
 12          graph (4) (as redesignated by paragraph (2) of this  
 13          section) as subparagraphs (A) and (B), respectively,  
 14          and indenting appropriately;

15          (4) by striking the following:

16          “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—

17               “(1) IN GENERAL.—The responsibilities” and  
 18          inserting the following:

19          “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The re-  
 20          sponsibilities”;

21          (5) in subsection (a)(1) (as redesignated by  
 22          paragraph (2) of this section), by striking “training  
 23          and employment” and inserting “fields”;

24          (6) in subsection (a)(2) (as redesignated by  
 25          paragraph (2) of this section)—

1 (A) by inserting “teacher and faculty prep-  
 2 aration programs,” after “teachers,”; and

3 (B) by inserting “all types and sizes of”  
 4 after “representatives of”; and

5 (7) in subsection (b) (as redesignated by para-  
 6 graph (1) of this section), by striking “paragraph  
 7 (1)” and inserting “subsection (a)”.

8 **SEC. 111. STATE PLAN.**

9 Section 122 (20 U.S.C. 2342) is amended—

10 (1) by striking “vocational” each place the term  
 11 appears and inserting “career”;

12 (2) in subsection (a)—

13 (A) in paragraph (1)—

14 (i) by striking “5” and inserting “6”;  
 15 and

16 (ii) by adding at the end the fol-  
 17 lowing: “Each eligible agency may submit  
 18 a transition plan during the first full year  
 19 of implementation of this Act after the  
 20 date of enactment of the Carl D. Perkins  
 21 Career and Technical Education Improve-  
 22 ment Act of 2005. The transition plan  
 23 shall fulfill the eligible agency’s State plan  
 24 submission obligation under this section.”;  
 25 and

1 (B) in paragraph (2)(B), by striking “5  
2 year State plan” and inserting “6-year period”;  
3 (3) by striking subsection (b)(1) and inserting  
4 the following:

5 “(1) IN GENERAL.—The eligible agency shall  
6 develop the State plan in consultation with academic  
7 and career and technical education teachers, faculty,  
8 principals, and administrators, career guidance and  
9 academic counselors, eligible recipients, parents, stu-  
10 dents, the State tech-prep coordinator and rep-  
11 resentatives of tech-prep consortia (if applicable),  
12 the lead State agency officials with responsibility for  
13 the programs and activities that are described in  
14 section 121(b) of the Workforce Investment Act of  
15 1998 (29 U.S.C. 2841(b)) and carried out by one-  
16 stop partners, the State workforce investment board,  
17 interested community members (including parent  
18 and community organizations), representatives of  
19 special populations, representatives of business and  
20 industry (including representatives of small business  
21 and economic development entities), and representa-  
22 tives of labor organizations in the State, and shall  
23 consult the Governor of the State with respect to  
24 such development.”;

1           (4) by striking subsection (c) and inserting the  
2           following:

3           “(c) PLAN CONTENTS.—The State plan shall include  
4           information that—

5           “(1) describes the career and technical edu-  
6           cation activities to be assisted that are designed to  
7           meet or exceed the State adjusted levels of perform-  
8           ance, including a description of—

9           “(A) how the eligible agency will support  
10          eligible recipients in developing or implementing  
11          career pathways for career and technical edu-  
12          cation content areas that are designed to meet  
13          relevant workforce needs, including how the eli-  
14          gible agency will—

15          “(i) support eligible recipients in de-  
16          veloping articulation agreements between  
17          secondary and postsecondary institutions;

18          “(ii) support eligible recipients in  
19          using labor market information to identify  
20          career pathways that prepare individuals  
21          for high skill, high wage, or high demand  
22          occupations;

23          “(iii) make available information  
24          about career pathways offered by eligible  
25          recipients; and



1 “(iv) consult with business and indus-  
 2 try and use industry-recognized standards  
 3 and assessments, if appropriate;

4 “(B) the secondary and postsecondary ca-  
 5 reer and technical education programs to be  
 6 carried out, including programs that will be car-  
 7 ried out by the eligible agency to develop, im-  
 8 prove, and expand access to quality technology  
 9 in career and technical education programs;

10 “(C) the criteria that will be used by the  
 11 eligible agency to approve eligible recipients for  
 12 funds under this title, including criteria to as-  
 13 sess the extent to which the local plan will—

14 “(i) promote higher levels of academic  
 15 achievement;

16 “(ii) promote higher levels of technical  
 17 skill attainment; and

18 “(iii) identify and address workforce  
 19 needs;

20 “(D) how programs at the secondary level  
 21 will prepare career and technical education stu-  
 22 dents, including special populations to graduate  
 23 from high school with a diploma;

24 “(E) how such programs will prepare ca-  
 25 reer and technical education students, including

1 special populations, both academically and tech-  
 2 nically, for opportunities in postsecondary edu-  
 3 cation or entry into high skill, high wage, or  
 4 high demand occupations in emerging or estab-  
 5 lished occupations, and how participating stu-  
 6 dents will be made aware of such opportunities;  
 7 and

8 “(F) how funds will be used to improve or  
 9 develop new career and technical education  
 10 courses in high skill, high wage, or high de-  
 11 mand occupations that are aligned with busi-  
 12 ness needs and industry standards, as  
 13 appropriate—

14 “(i) at the secondary level that are  
 15 aligned with challenging academic content  
 16 standards and student academic achieve-  
 17 ment standards adopted by the State  
 18 under section 1111(b)(1) of the Elemen-  
 19 tary and Secondary Education Act of  
 20 1965; and

21 “(ii) at the postsecondary level that  
 22 are relevant and challenging;

23 “(2) describes how career and technical edu-  
 24 cation teachers, faculty, principals, administrators,  
 25 and career guidance and academic counselors will be

1 provided comprehensive initial preparation and pro-  
 2 fessional development, including through programs  
 3 and activities that—

4 “(A) promote the integration of chal-  
 5 lenging academic curricula and career and tech-  
 6 nical education curricula, including opportuni-  
 7 ties for teachers to jointly develop and imple-  
 8 ment curriculum and pedagogical strategies  
 9 with appropriate academic teachers;

10 “(B) increase the academic and career and  
 11 technical education knowledge of career and  
 12 technical education teachers and faculty;

13 “(C) are high-quality, sustained, intensive,  
 14 focused on instruction, directly related to indus-  
 15 try standards, and includes structured induc-  
 16 tion and mentoring components for new per-  
 17 sonnel, with an emphasis on identifying and ad-  
 18 dressing the needs of local businesses, including  
 19 small businesses;

20 “(D) ensure an increasing number of ca-  
 21 reer and technical education teachers and fac-  
 22 ulty meet teacher certification and licensing re-  
 23 quirements reflecting the needs of their subject  
 24 area or areas;

1           “(E) equip career and technical education  
 2 teachers, faculty, principals, administrators,  
 3 and career guidance and academic counselors  
 4 with the knowledge and skills needed to work  
 5 with and improve instruction for special popu-  
 6 lations;

7           “(F) assist in accessing and utilizing data,  
 8 including labor market indicators, student  
 9 achievement, and assessments;

10           “(G) enhance the leadership capacity of  
 11 principals and administrators;

12           “(H) are integrated with professional de-  
 13 velopment activities that the State carries out  
 14 under title II of the Elementary and Secondary  
 15 Education Act of 1965 and title II of the High-  
 16 er Education Act of 1965; and

17           “(I) include strategies to expose all career  
 18 and technical education students to comprehen-  
 19 sive information regarding career options that  
 20 lead to high skill, high wage, or high demand  
 21 occupations and nontraditional fields;

22           “(3) describes efforts to improve—

23           “(A) the recruitment and retention of ca-  
 24 reer and technical education teachers, faculty,  
 25 counselors, principals, and administrators, in-

1 including individuals in groups underrepresented  
2 in the teaching profession; and

3 “(B) the transition to teaching from busi-  
4 ness and industry, including small business;

5 “(4) describes efforts to improve the capacity of  
6 programs and faculty at postsecondary institutions  
7 to effectively prepare career and technical education  
8 personnel, including, as appropriate, through elec-  
9 tronically delivered distance education, and articula-  
10 tion agreements between 2-year technical programs  
11 and postsecondary education programs;

12 “(5) describes efforts to facilitate the transition  
13 of sub-baccalaureate career and technical education  
14 students into baccalaureate degree programs,  
15 including—

16 “(A) statewide articulation agreements be-  
17 tween sub-baccalaureate career and technical  
18 education programs and baccalaureate degree  
19 programs;

20 “(B) postsecondary dual and concurrent  
21 enrollment programs;

22 “(C) academic and financial aid coun-  
23 seling; and

24 “(D) other initiatives to encourage the  
25 pursuit of a baccalaureate degree and to over-

1           come barriers to participation in baccalaureate  
2           degree programs, including geographic and  
3           other barriers affecting rural students and spe-  
4           cial populations;

5           “(6) describes how the eligible agency will ac-  
6           tively involve parents, academic and career and tech-  
7           nical education teachers, faculty, principals, and ad-  
8           ministrators, career guidance and academic coun-  
9           selors, local businesses (including small- and me-  
10          dium-sized businesses and business intermediaries),  
11          State workforce investment boards, local workforce  
12          investment boards, economic development entities,  
13          and labor organizations in the planning, develop-  
14          ment, implementation, and evaluation of such career  
15          and technical education programs;

16          “(7) describes how funds received by the eligible  
17          agency through the allotment made under section  
18          111 will be allocated—

19                 “(A) among secondary school career and  
20                 technical education, or postsecondary and adult  
21                 career and technical education, or both, includ-  
22                 ing the rationale for such allocation; and

23                 “(B) among any consortia that will be  
24                 formed among secondary schools and eligible in-  
25                 stitutions, and how funds will be allocated

1 among the members of the consortia, including  
2 the rationale for such allocation;

3 “(8) describes how the eligible agency will—

4 “(A) use funds to improve or develop new  
5 career and technical education courses in high  
6 skill, high wage, or high demand occupations—

7 “(i) at the secondary level that are  
8 aligned with challenging academic content  
9 standards and student academic achieve-  
10 ment standards adopted by the State  
11 under section 1111(b)(1) of the Elemen-  
12 tary and Secondary Education Act of  
13 1965; and

14 “(ii) at the postsecondary level that  
15 are challenging and aligned with business  
16 needs and industry standards, as appro-  
17 priate;

18 “(B) improve the academic and technical  
19 skills of students participating in career and  
20 technical education programs, including  
21 strengthening the academic, and career and  
22 technical, components of career and technical  
23 education programs through the integration of  
24 academics with career and technical education  
25 to ensure learning in the core academic subjects

1           and career and technical education subjects,  
 2           and provide students with strong experience in,  
 3           and understanding of, all aspects of an indus-  
 4           try;

5           “(C) ensure that students who participate  
 6           in such career and technical education pro-  
 7           grams are taught to the same challenging aca-  
 8           demic proficiencies as are taught to all other  
 9           students; and

10           “(D) encourage secondary school students  
 11           who participate in such career and technical  
 12           education programs to enroll in challenging  
 13           courses in core academic subjects;

14           “(9) describes how the eligible agency will an-  
 15           nually evaluate the effectiveness of such career and  
 16           technical education programs, and describes, to the  
 17           extent practicable, how the eligible agency is coordi-  
 18           nating such programs to promote relevant lifelong  
 19           learning and ensure nonduplication with other exist-  
 20           ing Federal programs;

21           “(10) describes the eligible agency’s program  
 22           strategies for special populations, including a de-  
 23           scription of how individuals who are members of the  
 24           special populations—



1           “(A) will be provided with equal access to  
2 activities assisted under this title;

3           “(B) will not be discriminated against on  
4 the basis of their status as members of the spe-  
5 cial populations; and

6           “(C) will be provided with programs de-  
7 signed to enable the special populations to meet  
8 or exceed State adjusted levels of performance,  
9 and prepare special populations for further  
10 learning and for high skill, high wage, or high  
11 demand occupations;

12          “(11) how the eligible agency will collaborate in  
13 developing the State plan with—

14           “(A) the entity within the State with re-  
15 sponsibility for elementary and secondary edu-  
16 cation;

17           “(B) the entity within the State with re-  
18 sponsibility for public institutions engaged in  
19 postsecondary education;

20           “(C) State institutions such as State cor-  
21 rectional institutions and institutions that serve  
22 individuals with disabilities; and

23           “(D) all other relevant State agencies with  
24 responsibility for career and technical education

1           and training investment, and economic and  
2           workforce development;

3           “(12) describes what steps the eligible agency  
4           will take to involve representatives of eligible recipi-  
5           ents in the development of the State adjusted levels  
6           of performance;

7           “(13) provides assurances that the eligible  
8           agency will comply with the requirements of this  
9           title and the provisions of the State plan, including  
10          the provision of a financial audit of funds received  
11          under this title which may be included as part of an  
12          audit of other Federal or State programs;

13          “(14) provides assurances that none of the  
14          funds expended under this title will be used to ac-  
15          quire equipment (including computer software) in  
16          any instance in which such acquisition results in a  
17          direct financial benefit to any organization rep-  
18          resenting the interests of the purchasing entity, the  
19          employees of the purchasing entity, or any affiliate  
20          of such an organization;

21          “(15) describes how the eligible agency will  
22          measure and report data relating to students partici-  
23          pating in and completing career and technical edu-  
24          cation within specific career clusters in order to ade-

quately measure the progress of the students, including special populations, at—

“(A) the secondary level, disaggregated by the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual; and

“(B) the postsecondary level, disaggregated by special populations, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual;

“(16) describes how the eligible agency will adequately address the needs of students in alternative education programs, if appropriate;

“(17) describes how the eligible agency will provide local educational agencies, area career and tech-

1        nical education schools, and eligible institutions in  
 2        the State with technical assistance;

3            “(18) describes how career and technical edu-  
 4        cation relates to State and regional occupational op-  
 5        portunities;

6            “(19) describes the methods proposed for the  
 7        joint planning and coordination of programs carried  
 8        out under this title with other Federal education and  
 9        workforce investment programs;

10          “(20) describes how funds will be used to pro-  
 11        mote preparation for high skill, high wage, or high  
 12        demand occupations and nontraditional fields in  
 13        emerging and established professions;

14          “(21) describes how funds will be used to serve  
 15        individuals in State correctional institutions;

16          “(22) describes how the eligible agency will en-  
 17        sure that the data reported to the eligible agency  
 18        from local educational agencies and eligible institu-  
 19        tions under this title and the data the eligible agency  
 20        reports to the Secretary are complete, accurate, and  
 21        reliable; and

22          “(23) contains the description and information  
 23        specified in sections 112(b)(8) and 121(c) of the  
 24        Workforce Investment Act of 1998 (29 U.S.C.  
 25        2822(b)(8) and 2841(c)) concerning the provision of

1 services only for postsecondary students and school  
 2 dropouts.”;

3 (5) by striking subsection (d) and inserting the  
 4 following:

5 “(d) PLAN OPTIONS.—

6 “(1) SINGLE PLAN.—The eligible agency may  
 7 fulfill the plan or application submission require-  
 8 ments of this section, section 118(b), and section  
 9 141(c) by submitting a single State plan. In such  
 10 plan, the eligible agency may allow eligible recipients  
 11 to fulfill the plan or application submission require-  
 12 ments of section 134 and subsections (a) and (b) of  
 13 section 143 by submitting a single local plan.

14 “(2) PLAN SUBMITTED AS PART OF 501  
 15 PLAN.—The eligible agency may submit the plan re-  
 16 quired under this section as part of the plan sub-  
 17 mitted under section 501 of the Workforce Invest-  
 18 ment Act of 1998 (20 U.S.C. 9271), if the plan sub-  
 19 mitted pursuant to the requirement of this section  
 20 meets the requirements of this Act.”; and

21 (6) by striking subsection (f).

22 **SEC. 112. IMPROVEMENT PLANS.**

23 Section 123 (20 U.S.C. 2343) is amended to read as  
 24 follows:

1 **“SEC. 123. IMPROVEMENT PLANS.**

2 “(a) STATE PROGRAM IMPROVEMENT PLAN.—

3 “(1) PLAN.—If a State fails to meet the State  
 4 adjusted levels of performance described in the re-  
 5 port submitted under section 113(c), the eligible  
 6 agency shall develop and implement a program im-  
 7 provement plan in consultation with the appropriate  
 8 agencies, individuals, and organizations for the first  
 9 program year succeeding the program year in which  
 10 the eligible agency failed to meet the State adjusted  
 11 levels of performance, in order to avoid a sanction  
 12 under paragraph (3).

13 “(2) TECHNICAL ASSISTANCE.—If the Sec-  
 14 retary determines that an eligible agency is not  
 15 properly implementing the eligible agency’s respon-  
 16 sibilities under section 122, or is not making sub-  
 17 stantial progress in meeting the purpose of this Act,  
 18 based on the State’s adjusted levels of performance,  
 19 the Secretary shall work with the eligible agency to  
 20 implement improvement activities consistent with the  
 21 requirements of this Act.

22 “(3) FAILURE.—

23 “(A) IN GENERAL.—If an eligible agency  
 24 fails to meet the State adjusted levels of per-  
 25 formance, has not implemented an improvement  
 26 plan as described in paragraph (1), has shown

1 no improvement within 1 year after imple-  
2 menting an improvement plan as described in  
3 paragraph (1), or has failed to meet more than  
4 1 of the State adjusted levels of performance  
5 for the same performance indicator for 2 or  
6 more consecutive years, the Secretary may,  
7 after notice and opportunity for a hearing,  
8 withhold from the eligible agency all, or a por-  
9 tion of, the eligible agency's allotment under  
10 this title.

11 “(B) WAIVER FOR EXCEPTIONAL CIR-  
12 CUMSTANCES.—The Secretary may waive the  
13 sanction in subparagraph (A) due to exceptional  
14 or uncontrollable circumstances such as a nat-  
15 ural disaster or a precipitous and unforeseen  
16 decline in financial resources of the State.

17 “(4) FUNDS RESULTING FROM REDUCED AL-  
18 LOTMENTS.—

19 “(A) IN GENERAL.—The Secretary shall  
20 use funds withheld under paragraph (3) for a  
21 State served by an eligible agency, to provide  
22 (through alternative arrangements) services and  
23 activities within the State to meet the purposes  
24 of this Act.

1           “(B) REDISTRIBUTION.—If the Secretary  
 2           cannot satisfactorily use funds withheld under  
 3           paragraph (3), then the amount of funds re-  
 4           tained by the Secretary as a result of a reduc-  
 5           tion in an allotment made under paragraph (3)  
 6           shall be redistributed to other eligible agencies  
 7           in accordance with section 111.

8           “(b) LOCAL PROGRAM IMPROVEMENT.—

9           “(1) LOCAL EVALUATION.—Each eligible agen-  
 10          cy shall evaluate annually, using the local adjusted  
 11          levels of performance described in section 113(b)(4),  
 12          the career and technical education activities of each  
 13          eligible recipient receiving funds under this title.

14          “(2) PLAN.—

15          “(A) IN GENERAL.—If, after reviewing the  
 16          evaluation, the eligible agency determines that  
 17          an eligible recipient is not making substantial  
 18          progress in achieving the local adjusted levels of  
 19          performance, the eligible agency shall—

20                 “(i) conduct an assessment of the  
 21                 educational needs that the eligible recipient  
 22                 shall address to overcome local perform-  
 23                 ance deficiencies, including the perform-  
 24                 ance of special populations;



1 “(ii) enter into an improvement plan  
2 with an eligible recipient based on the re-  
3 sults of the assessment, for the first pro-  
4 gram year succeeding the program year in  
5 which the eligible recipient failed to meet  
6 the local adjusted levels of performance,  
7 which plan shall demonstrate how the local  
8 performance deficiencies will be corrected  
9 and include instructional and other pro-  
10 grammatic innovations of demonstrated ef-  
11 fectiveness, and, where necessary, strate-  
12 gies for appropriate staffing and profes-  
13 sional development; and

14 “(iii) conduct regular evaluations of  
15 the progress being made toward reaching  
16 the local adjusted levels of performance, as  
17 described in section 113(b)(4), and  
18 progress on implementing the improvement  
19 plan.

20 “(B) CONSULTATION.—The eligible agency  
21 shall conduct the activities described in sub-  
22 paragraph (A) in consultation with teachers,  
23 principals, administrators, faculty, parents,  
24 other school staff, appropriate agencies, and  
25 other appropriate individuals and organizations.

1           “(3) TECHNICAL ASSISTANCE.—If the eligible  
2           agency determines that an eligible recipient is not  
3           properly implementing the eligible recipient’s respon-  
4           sibilities under section 134, or is not making sub-  
5           stantial progress in meeting the purpose of this Act,  
6           based on the local adjusted levels of performance,  
7           the eligible agency shall provide technical assistance  
8           to the eligible recipient to assist the eligible recipient  
9           in carrying out the improvement activities consistent  
10          with the requirements of this Act. An eligible recipi-  
11          ent, in collaboration with the eligible agency, may re-  
12          quest that the Secretary provide additional technical  
13          assistance.

14          “(4) FAILURE.—

15               “(A) IN GENERAL.—If an eligible recipient  
16               fails to meet the local adjusted levels of per-  
17               formance as described in section 113(b)(4) and  
18               has not implemented an improvement plan as  
19               described in paragraph (2), has shown no im-  
20               provement within 1 year after implementing an  
21               improvement plan as described in paragraph  
22               (2), or has failed to meet more than 1 of the  
23               local adjusted levels of performance for the  
24               same performance indicator for 2 or more con-  
25               secutive years, the eligible agency may, after

1 notice and opportunity for a hearing, withhold  
 2 from the eligible recipient all, or a portion of,  
 3 the eligible recipient's allotment under this title.

4 “(B) WAIVER FOR EXCEPTIONAL CIR-  
 5 CUMSTANCES.—The eligible agency may waive  
 6 the sanction under this paragraph due to excep-  
 7 tional or uncontrollable circumstances such as  
 8 organizational structure, or a natural disaster  
 9 or a precipitous and unforeseen decline in fi-  
 10 nancial resources of the eligible recipient.

11 “(5) FUNDS RESULTING FROM REDUCED AL-  
 12 LOTMENTS.—The eligible agency shall use funds  
 13 withheld under paragraph (4) to provide (through  
 14 alternative arrangements) services and activities to  
 15 students within the area served by such recipient to  
 16 meet the purpose of this Act.”.

17 **SEC. 113. STATE LEADERSHIP ACTIVITIES.**

18 Section 124 (20 U.S.C. 2344) is amended—

19 (1) by striking “vocational” each place the term  
 20 appears and inserting “career”;

21 (2) in subsection (a), by striking “112(a)(2)”  
 22 and inserting “112(a)(2)(A)”;

23 (3) in subsection (b)—

24 (A) in paragraph (1), by striking “further  
 25 learning” and all that follows through the semi-

1 colon and inserting “further education, further  
 2 training, or for high skill, high wage, or high  
 3 demand occupations;”;

4 (B) in paragraph (2), by striking subpara-  
 5 graphs (A) through (C) and inserting the fol-  
 6 lowing:

7 “(A) training of career and technical edu-  
 8 cation teachers, faculty, principals, career guid-  
 9 ance and academic counselors, and administra-  
 10 tors to use technology, including distance learn-  
 11 ing;

12 “(B) encouraging schools to work with  
 13 technology industries to offer voluntary intern-  
 14 ships and mentoring programs; or

15 “(C) encouraging lifelong learning, includ-  
 16 ing through partnerships that may involve insti-  
 17 tutions of higher education, organizations pro-  
 18 viding career and technical education, busi-  
 19 nesses, workforce investment entities, and com-  
 20 munications entities;”;

21 (C) by striking paragraph (3) and insert-  
 22 ing the following:

23 “(3) professional development programs, includ-  
 24 ing providing comprehensive professional develop-  
 25 ment (including initial teacher preparation) for ca-

1       reer and technical education teachers, faculty, prin-  
 2       cipals, administrators, and career guidance and aca-  
 3       demic counselors at the secondary and postsecondary  
 4       levels, that support activities described in section  
 5       122 and—

6               “(A) provide in-service and pre-service  
 7       training in career and technical education pro-  
 8       grams and techniques, effective teaching skills  
 9       based on promising practices and, where avail-  
 10      able and appropriate, scientifically based re-  
 11      search, and effective practices to improve pa-  
 12      rental and community involvement;

13              “(B) improve student achievement in order  
 14      to meet the State adjusted levels of perform-  
 15      ance established under section 113;

16              “(C) support education programs for  
 17      teachers and faculty of career and technical  
 18      education in public schools and other public  
 19      school personnel who are involved in the direct  
 20      delivery of educational services to career and  
 21      technical education students to ensure that  
 22      such personnel—

23                   “(i) stay current with the needs, ex-  
 24                   pectations, and methods of industry;

1                   “(ii) can effectively develop chal-  
 2                   lenging, integrated academic and career  
 3                   and technical education curriculum jointly  
 4                   with academic teachers, to the extent prac-  
 5                   ticable; and

6                   “(iii) develop a higher level of aca-  
 7                   demic and industry knowledge and skills in  
 8                   career and technical education; and

9                   “(D) are integrated with the teacher cer-  
 10                  tification or licensing and professional develop-  
 11                  ment activities that the State carries out under  
 12                  title II of the Elementary and Secondary Edu-  
 13                  cation Act of 1965 and title II of the Higher  
 14                  Education Act of 1965;”;

15                 (D) in paragraph (4), by striking “support  
 16                 for” and inserting “supporting”;

17                 (E) in paragraph (5), by striking “non-  
 18                 traditional training and employment” and in-  
 19                 serting “nontraditional fields in emerging and  
 20                 established professions, and other activities that  
 21                 expose students, including special populations,  
 22                 to high skill, high wage occupations”;

23                 (F) in paragraph (6)—

24                         (i) by inserting “intermediaries,” after  
 25                         “labor organizations,”; and

1 (ii) by inserting “, or complete career  
2 pathways, as described in section  
3 122(c)(1)(A)” after “skills”;

4 (G) in paragraph (7), by striking “and”  
5 after the semicolon;

6 (H) in paragraph (8), by striking “wage  
7 careers.” and inserting “wage, or high demand  
8 occupations; and”; and

9 (I) by adding at the end the following:

10 “(9) technical assistance for eligible recipi-  
11 ents.”;

12 (4) by striking subsection (c) and inserting the  
13 following:

14 “(c) PERMISSIBLE USES OF FUNDS.—The leadership  
15 activities described in subsection (a) may include—

16 “(1) improvement of career guidance and aca-  
17 demic counseling programs that assist students in  
18 making informed academic, and career and technical  
19 education, decisions, including encouraging sec-  
20 ondary and postsecondary students to graduate with  
21 a diploma or degree, and expose students to high  
22 skill, high wage occupations and nontraditional fields  
23 in emerging and established professions;

24 “(2) establishment of agreements, including ar-  
25 ticipation agreements, between secondary and post-

1 secondary career and technical education programs  
 2 in order to provide postsecondary education and  
 3 training opportunities for students participating in  
 4 such career and technical education programs, such  
 5 as tech-prep programs;

6 “(3) support for initiatives to facilitate the  
 7 transition of sub-baccalaureate career and technical  
 8 education students into baccalaureate degree pro-  
 9 grams, including—

10 “(A) statewide articulation agreements be-  
 11 tween sub-baccalaureate degree granting career  
 12 and technical postsecondary educational institu-  
 13 tions and baccalaureate degree granting post-  
 14 secondary educational institutions;

15 “(B) postsecondary dual and concurrent  
 16 enrollment programs;

17 “(C) academic and financial aid coun-  
 18 seling; and

19 “(D) other initiatives—

20 “(i) to encourage the pursuit of a bac-  
 21 calaureate degree; and

22 “(ii) to overcome barriers to participa-  
 23 tion in baccalaureate degree programs, in-  
 24 cluding geographic and other barriers af-



1                   fecting rural students and special popu-  
2                   lations;

3               “(4) support for career and technical student  
4               organizations, especially with respect to efforts to in-  
5               crease the participation of students who are mem-  
6               bers of special populations;

7               “(5) support for public charter schools oper-  
8               ating secondary career and technical education pro-  
9               grams;

10              “(6) support for career and technical education  
11              programs that offer experience in, and under-  
12              standing of, all aspects of an industry for which stu-  
13              dents are preparing to enter;

14              “(7) support for family and consumer sciences  
15              programs;

16              “(8) support for partnerships between edu-  
17              cation and business or business intermediaries, in-  
18              cluding cooperative education and adjunct faculty  
19              arrangements at the secondary and postsecondary  
20              levels;

21              “(9) support to improve or develop new career  
22              and technical education courses and initiatives, in-  
23              cluding career clusters, career academies, and dis-  
24              tance learning, that prepare individuals academically

1 and technically for high skill, high wage, or high de-  
2 mand occupations;

3 “(10) awarding incentive grants to eligible re-  
4 cipients for exemplary performance in carrying out  
5 programs under this Act, which awards shall be  
6 based on local performance indicators, as described  
7 in section 113, in accordance with previously pub-  
8 licly disclosed priorities;

9 “(11) providing career and technical education  
10 programs for adults and school dropouts to complete  
11 their secondary school education, in coordination, to  
12 the extent practicable, with activities authorized  
13 under title II of the Workforce Investment Act of  
14 1998 (20 U.S.C. 9201 et seq.);

15 “(12) providing assistance to individuals, who  
16 have participated in services and activities under  
17 this title, in finding an appropriate job and con-  
18 tinuing their education or training through collabo-  
19 ration with the workforce investment system estab-  
20 lished under the Workforce Investment Act of 1998  
21 (29 U.S.C. 2801 et seq.);

22 “(13) developing valid and reliable assessments  
23 of technical skills that are integrated with industry  
24 certification assessments where available;

1 “(14) developing and enhancing data systems to  
 2 collect and analyze data on secondary and postsec-  
 3 ondary academic and employment outcomes;

4 “(15) improving—

5 “(A) the recruitment and retention of ca-  
 6 reer and technical education teachers, faculty,  
 7 principals, administrators, and career guidance  
 8 and academic counselors, including individuals  
 9 in groups underrepresented in the teaching pro-  
 10 fession; and

11 “(B) the transition to teaching from busi-  
 12 ness and industry, including small business; and

13 “(16) adopting, calculating, or commissioning a  
 14 self-sufficiency standard.”; and

15 (5) in subsection (d), by striking “112(a)(2)”  
 16 and inserting “112(a)(2)(A)”.

17 **SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY**  
 18 **SCHOOL PROGRAMS.**

19 Section 131 (20 U.S.C. 2351) is amended—

20 (1) by striking “vocational” each place the term  
 21 appears and inserting “career”;

22 (2) by striking subsection (a);

23 (3) by redesignating subsections (b) through (i)  
 24 as subsections (a) through (h), respectively;

1 (4) in subsection (a) (as redesignated by para-  
 2 graph (3) of this section)—

3 (A) in the subsection heading, by striking  
 4 “SPECIAL DISTRIBUTION RULES FOR SUC-  
 5 CEEDING FISCAL YEARS” and inserting “DIS-  
 6 TRIBUTION RULES”; and

7 (B) by striking “for fiscal year 2000 and  
 8 succeeding fiscal years”;

9 (5) in subsection (b) (as redesignated by para-  
 10 graph (3) of this section)—

11 (A) by striking “subsection (b)” and in-  
 12 serting “subsection (a)”; and

13 (B) in paragraph (1), by striking  
 14 “9902(2))” and inserting “9902(2)))”;

15 (6) in subsection (e) (as redesignated by para-  
 16 graph (3) of this section), in the subsection heading,  
 17 by striking “VOCATIONAL” and inserting “CAREER”;  
 18 and

19 (7) in subsection (g) (as redesignated by para-  
 20 graph (3) of this section), by striking “subsections  
 21 (a), (b), (c), and (d)” and inserting “subsections (a),  
 22 (b), and (c)”.

1 **SEC. 115. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**  
2 **CAREER AND TECHNICAL EDUCATION PRO-**  
3 **GRAMS.**

4 Section 132 (20 U.S.C. 2352) is amended—

5 (1) by striking the section heading and insert-  
6 ing the following:

7 **“SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**  
8 **CAREER AND TECHNICAL EDUCATION PRO-**  
9 **GRAMS.”;**

10 and

11 (2) in subsection (a)—

12 (A) in paragraph (1), by inserting “for ca-  
13 reer and technical education programs leading  
14 to a technical skill proficiency, an industry-rec-  
15 ognized credential, a certificate, or an associ-  
16 ate’s degree” before the period; and

17 (B) in paragraph (2), by inserting “leading  
18 to a technical skill proficiency, an industry-rec-  
19 ognized credential, a certificate, or an associ-  
20 ate’s degree and” after “enrolled in programs”.

21 **SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL**  
22 **EDUCATION.**

23 Section 133 (20 U.S.C. 2353) is amended—

24 (1) by striking the section heading and insert-  
25 ing the following:

1 **“SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL**  
 2 **EDUCATION.”;**

3 and

4 (2) by striking “vocational” each place such  
 5 term appears and inserting “career”.

6 **SEC. 117. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**  
 7 **CATION PROGRAMS.**

8 Section 134 (20 U.S.C. 2354) is amended—

9 (1) by striking the section heading and insert-  
 10 ing the following:

11 **“SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**  
 12 **CATION PROGRAMS.”;**

13 (2) in subsection (a), by inserting “and work-  
 14 force investment” after “such other educational”;  
 15 and

16 (3) in subsection (b), by striking paragraphs  
 17 (1) through (10) and inserting the following:

18 “(1) describe how the career and technical edu-  
 19 cation programs required under section 135(b) will  
 20 be carried out with funds received under this title;

21 “(2) describe how the career and technical edu-  
 22 cation activities will be carried out with respect to  
 23 meeting State and local adjusted levels of perform-  
 24 ance established under section 113;

25 “(3) describe how the eligible recipient will—

1           “(A) offer the appropriate courses of not  
2           less than 1 of the career pathways described in  
3           section 122(c)(1)(A);

4           “(B) improve the academic and technical  
5           skills of students participating in career and  
6           technical education programs by strengthening  
7           the academic and career and technical edu-  
8           cation components of such programs through  
9           the integration of challenging academics with  
10          career and technical education programs  
11          through a coherent sequence of courses to en-  
12          sure learning in the core academic subjects, and  
13          career and technical education subjects;

14          “(C) provide students with strong experi-  
15          ence in and understanding of all aspects of an  
16          industry; and

17          “(D) ensure that students who participate  
18          in such career and technical education pro-  
19          grams are taught to the same challenging aca-  
20          demic proficiencies as are taught for all other  
21          students;

22          “(4) describe how comprehensive professional  
23          development will be provided that is consistent with  
24          section 122;

1           “(5) describe how parents, students, academic  
 2           and career and technical education teachers, faculty,  
 3           principals, administrators, career guidance and aca-  
 4           demic counselors, representatives of tech-prep con-  
 5           sortia (if applicable), representatives of the local  
 6           workforce investment board (if applicable), rep-  
 7           resentatives of the local economic development entity  
 8           (if applicable), representatives of business (including  
 9           small business) and industry, labor organizations,  
 10          representatives of special populations, and other in-  
 11          terested individuals are involved in the development,  
 12          implementation, and evaluation of career and tech-  
 13          nical education programs assisted under this title,  
 14          and how such individuals and entities are effectively  
 15          informed about, and assisted in, understanding, the  
 16          requirements of this title, including career pathways;

17          “(6) provide assurances that the eligible recipi-  
 18          ent will provide a career and technical education  
 19          program that is of such size, scope, and quality to  
 20          bring about improvement in the quality of career  
 21          and technical education programs;

22          “(7) describe the process that will be used to  
 23          evaluate and continuously improve the performance  
 24          of the eligible recipient;

25          “(8) describe how the eligible recipient—



1           “(A) will review career and technical edu-  
 2           cation programs, and identify and adopt strate-  
 3           gies to overcome barriers that result in lowering  
 4           rates of access to or lowering success in the  
 5           programs, for special populations; and

6           “(B) will provide programs that are de-  
 7           signed to enable the special populations to meet  
 8           the local adjusted levels of performance and  
 9           prepare for high skill, high wage, or high de-  
 10          mand occupations, including those that will lead  
 11          to self-sufficiency;

12          “(9) describe how individuals who are members  
 13          of special populations will not be discriminated  
 14          against on the basis of their status as members of  
 15          the special populations;

16          “(10) describe how funds will be used to pro-  
 17          mote preparation for nontraditional fields;

18          “(11) describe how career guidance and aca-  
 19          demic counseling will be provided to all career and  
 20          technical education students, including linkages to  
 21          the information and services available through the  
 22          one-stop delivery system established under section  
 23          121 of the Workforce Investment Act of 1998 (29  
 24          U.S.C. 2841), as appropriate; and

1           “(12) describe efforts to improve the recruit-  
 2           ment and retention of career and technical education  
 3           teachers, faculty, counselors, principals, and admin-  
 4           istrators, including individuals in groups underrep-  
 5           resented in the teaching profession, and the transi-  
 6           tion to teaching from business and industry.”.

7 **SEC. 118. LOCAL USES OF FUNDS.**

8           Section 135 (20 U.S.C. 2355) is amended—

9           (1) in subsection (a), by striking “vocational”  
 10          and inserting “career”;

11          (2) in subsection (b)—

12                  (A) in the matter preceding paragraph (1),  
 13                  by striking “vocational” and inserting “career”;  
 14                  and

15                  (B) by striking paragraphs (1) through (8)  
 16                  and inserting the following:

17                  “(1) strengthen the academic and career and  
 18                  technical education skills of students participating in  
 19                  career and technical education programs by  
 20                  strengthening the academic and career and technical  
 21                  education components of such programs through the  
 22                  integration of academics with career and technical  
 23                  education programs through a coherent sequence of  
 24                  courses, such as career pathways described in sec-  
 25                  tion 122(c)(1)(A), to ensure learning in the core

1 academic subjects and career and technical edu-  
2 cation subjects;

3 “(2) link secondary career and technical edu-  
4 cation and postsecondary career and technical edu-  
5 cation, including by—

6 “(A) offering the relevant elements of not  
7 less than 1 career pathway described in section  
8 122(c)(1)(A);

9 “(B) developing and supporting articula-  
10 tion agreements between secondary and postsec-  
11 ondary institutions; or

12 “(C) supporting tech-prep programs and  
13 consortia;

14 “(3) provide students with strong experience in  
15 and understanding of all aspects of an industry;

16 “(4) develop, improve, or expand the use of  
17 technology in career and technical education, which  
18 may include—

19 “(A) training of career and technical edu-  
20 cation teachers, faculty, principals, and admin-  
21 istrators to use technology, including distance  
22 learning; or

23 “(B) encouraging schools to collaborate  
24 with technology industries to offer voluntary in-  
25 ternships and mentoring programs;

1           “(5) provide professional development programs  
 2           that are consistent with section 122 to secondary  
 3           and postsecondary teachers, faculty, principals, ad-  
 4           ministrators, and career guidance and academic  
 5           counselors who are involved in integrated career and  
 6           technical education programs, including—

7                   “(A) in-service and pre-service training—

8                           “(i) in career and technical education  
 9                           programs and techniques;

10                           “(ii) in effective integration of chal-  
 11                           lenging academic and career and technical  
 12                           education jointly with academic teachers,  
 13                           to the extent practicable;

14                           “(iii) in effective teaching skills based  
 15                           on research that includes promising prac-  
 16                           tices; and

17                           “(iv) in effective practices to improve  
 18                           parental and community involvement;

19                   “(B) support of education programs that  
 20                   provide information on all aspects of an indus-  
 21                   try;

22                   “(C) internship programs that provide rel-  
 23                   evant business experience; and

24                   “(D) programs dedicated to the effective  
 25                   use of instructional technology;

1 “(6) develop and implement evaluations of the  
 2 career and technical education programs carried out  
 3 with funds under this title, including an assessment  
 4 of how the needs of special populations are being  
 5 met;

6 “(7) initiate, improve, expand, and modernize  
 7 quality career and technical education programs, in-  
 8 cluding relevant technology;

9 “(8) provide services and activities that are of  
 10 sufficient size, scope, and quality to be effective; and

11 “(9) provide activities to prepare special popu-  
 12 lations, including single parents and displaced home-  
 13 makers (if enrolled in the program), for high skill,  
 14 high wage, or high demand occupations, including  
 15 those that will lead to self-sufficiency.”; and

16 (3) in subsection (c)—

17 (A) in paragraph (1), by striking “voca-  
 18 tional” and inserting “career”; and

19 (B) by striking paragraphs (2) through  
 20 (15) and inserting the following:

21 “(2) to provide career guidance and academic  
 22 counseling that is based on current labor market in-  
 23 dicators, as provided pursuant to section 118, for  
 24 students participating in career and technical edu-  
 25 cation programs that—

1           “(A) improves graduation rates and pro-  
 2           vides information on postsecondary and career  
 3           options, including baccalaureate degree pro-  
 4           grams, for secondary students, which activities  
 5           may include the use of graduation and career  
 6           plans; and

7           “(B) provides assistance for postsecondary  
 8           students, including for adult students who are  
 9           changing careers or updating skills;

10          “(3) for partnerships between or among the eli-  
 11          gible recipient and a business (including a small  
 12          business or business intermediary), a local workforce  
 13          investment board, or a local economic development  
 14          entity, including for—

15               “(A) work-related experience for students,  
 16               such as internships, cooperative education,  
 17               school-based enterprises, entrepreneurship, and  
 18               job shadowing that are related to career and  
 19               technical education programs;

20               “(B) adjunct faculty arrangements at the  
 21               secondary and postsecondary levels; and

22               “(C) industry experience for teachers and  
 23               faculty;

24          “(4) to provide programs for special popu-  
 25          lations;

1           “(5) to assist career and technical student orga-  
2       nizations;

3           “(6) for mentoring and support services;

4           “(7) for leasing, purchasing, upgrading, or  
5       adapting instructional equipment, including support  
6       for library resources, such as business journals, pub-  
7       lications, and other related resources designed to  
8       strengthen and support academic and technical skill  
9       achievement;

10          “(8) for teacher preparation programs that ad-  
11       dress the integration of academic and career and  
12       technical education and that assist individuals who  
13       are interested in becoming career and technical edu-  
14       cation teachers and faculty, including individuals  
15       with experience in business and industry;

16          “(9) to develop and expand postsecondary pro-  
17       gram offerings at times and in formats that are con-  
18       venient and accessible for working students, includ-  
19       ing through the use of distance education;

20          “(10) to develop initiatives that facilitate the  
21       transition of sub-baccalaureate career and technical  
22       education students into baccalaureate degree pro-  
23       grams, including—

24               “(A) articulation agreements between sub-  
25       baccalaureate degree granting career and tech-

1 nical education postsecondary educational insti-  
 2 tutions and baccalaureate degree granting post-  
 3 secondary educational institutions;

4 “(B) postsecondary dual and concurrent  
 5 enrollment programs;

6 “(C) academic and financial aid counseling  
 7 for sub-baccalaureate career and technical edu-  
 8 cation students that inform the students of the  
 9 opportunities for pursuing a baccalaureate de-  
 10 gree and advise the students on how to meet  
 11 any transfer requirements; and

12 “(D) other initiatives—

13 “(i) to encourage the pursuit of a bac-  
 14 calaureate degree; and

15 “(ii) to overcome barriers to enroll-  
 16 ment in and completion of baccalaureate  
 17 degree programs, including geographic and  
 18 other barriers affecting rural students and  
 19 special populations;

20 “(11) for improving or developing new career  
 21 and technical education courses, including entrepre-  
 22 neurship and development of new career pathways;

23 “(12) to develop and support small, personal-  
 24 ized career-themed learning communities;



1 “(13) to provide support for family and con-  
 2 sumer sciences programs;

3 “(14) to provide career and technical education  
 4 programs for adults and school dropouts to complete  
 5 their secondary school education or upgrade their  
 6 technical skills;

7 “(15) to provide assistance to individuals who  
 8 have participated in services and activities under  
 9 this title in finding an appropriate job and con-  
 10 tinuing their education or training through collabo-  
 11 ration with the workforce investment system estab-  
 12 lished under the Workforce Investment Act of 1998  
 13 (29 U.S.C. 2801 et seq.);

14 “(16) to support activities in nontraditional  
 15 fields, such as mentoring and outreach; and

16 “(17) to support other career and technical  
 17 education activities that are consistent with the pur-  
 18 pose of this Act.”.

19 **SEC. 119. TECH-PREP EDUCATION.**

20 (a) REDESIGNATION.—Title II (20 U.S.C. 2371 et  
 21 seq.) is amended—

22 (1) by striking the title heading and inserting  
 23 the following:

1           **“PART D—TECH-PREP EDUCATION”;**

2           (2) by striking sections 201, 202, 206, and 207;

3           and

4           (3) by redesignating sections 203, 204, 205,

5           and 208, as sections 141, 142, 143, and 144, re-

6           spectively.

7           (b) STATE ALLOTMENT AND APPLICATION.—Section

8   141 (as redesignated by subsection (a) of this section) is

9   amended—

10           (1) in subsection (a), by striking “section 206”

11           and inserting “section 144”; and

12           (2) by striking subsection (c) and inserting the

13           following:

14           “(c) STATE APPLICATION.—Each eligible agency de-

15   siring assistance under this part shall submit an applica-

16   tion to the Secretary at such time, in such manner, and

17   accompanied by such information as the Secretary may

18   require. Such application shall describe how activities

19   under this part will be coordinated, to the extent prac-

20   ticable, with activities described in section 122.”.

21           (c) TECH-PREP EDUCATION.—Section 142 (as redes-

22   ignated by subsection (a) of this section) is amended—

23           (1) in subsection (a)—

24                   (A) in paragraph (1)—

25                           (i) by striking “section 203” and in-

26                           serting “section 141”;

1 (ii) by striking “title” and inserting  
2 “part”;

3 (iii) by striking “vocational” both  
4 places the term appears and inserting “ca-  
5 reer”; and

6 (iv) in subparagraph (A), by inserting  
7 “, educational service agency,” after “in-  
8 termediate educational agency”; and  
9 (B) in paragraph (2)—

10 (i) in subparagraph (A), by striking  
11 “and”;

12 (ii) in subparagraph (B), by striking  
13 the period at the end and inserting a semi-  
14 colon; and

15 (iii) by adding at the end the fol-  
16 lowing:

17 “(C) employers, including small businesses,  
18 or business intermediaries; and

19 “(D) labor organizations.”;

20 (2) in subsection (c)—

21 (A) by striking paragraph (2) and insert-  
22 ing the following:

23 “(2) consist of not less than 2 years of sec-  
24 ondary school with a common core of technical skills  
25 and core academic subjects preceding graduation

1 and 2 years or more of higher education, or an ap-  
 2 prenticeship program of not less than 2 years fol-  
 3 lowing secondary instruction, designed to lead to  
 4 technical skill proficiency, a credential, a certificate,  
 5 or a degree, in a specific career field;”;

6 (B) in paragraph (3)(B), by inserting “in-  
 7 cluding through the use of articulation agree-  
 8 ments, and” after “career fields,”;

9 (C) by striking paragraph (4) and insert-  
 10 ing the following:

11 “(4) include in-service professional development  
 12 for teachers, faculty, principals, and administrators  
 13 that—

14 “(A) supports effective implementation of  
 15 tech-prep programs;

16 “(B) supports joint training in the tech-  
 17 prep consortium;

18 “(C) supports the needs, expectations, and  
 19 methods of business and all aspects of an in-  
 20 dustry;

21 “(D) supports the use of contextual and  
 22 applied curricula, instruction, and assessment;

23 “(E) supports the use and application of  
 24 technology; and

1           “(F) assists in accessing and utilizing  
2 data, including labor market indicators, achieve-  
3 ment, and assessments;”;

4           (D) in paragraph (5)—

5               (i) by striking “training” and insert-  
6 ing “professional development”;

7               (ii) in subparagraph (B), by inserting  
8 “, which may include through the use of  
9 graduation and career plans” after “pro-  
10 grams”;

11              (iii) in subparagraph (D), by striking  
12 “and”;

13              (iv) in subparagraph (E), by inserting  
14 “and” after the semicolon; and

15              (v) by adding at the end the following:

16           “(F) provide comprehensive career guid-  
17 ance and academic counseling to participating  
18 students, including special populations;”;

19           (E) in paragraph (6)—

20               (i) by inserting “(including pre-ap-  
21 prenticeship programs)” after “programs”;

22           and

23               (ii) by striking “and” after the semi-  
24 colon;

1 (F) in paragraph (7), by striking the pe-  
 2 riod at the end and inserting “; and”; and

3 (G) by adding at the end the following:

4 “(8) coordinate with activities conducted under  
 5 this title.”; and

6 (3) in subsection (d)—

7 (A) in paragraph (2), by striking “and”  
 8 after the semicolon;

9 (B) in paragraph (3), by striking the pe-  
 10 riod at the end and inserting a semicolon; and

11 (C) by adding at the end the following:

12 “(4) improve career guidance and academic  
 13 counseling for participating students through the de-  
 14 velopment and implementation of graduation and ca-  
 15 reer plans; and

16 “(5) develop curriculum that supports effective  
 17 transitions between secondary and postsecondary ca-  
 18 reer and technical education programs.”.

19 (d) CONSORTIUM APPLICATIONS.—Section 143 (as  
 20 redesignated by subsection (a) of this section) is  
 21 amended—

22 (1) in subsection (a), by striking “title” and in-  
 23 serting “part”;

24 (2) in subsection (b)—

25 (A) by striking “5” and inserting “6”; and

1 (B) by striking “title” and inserting  
2 “part”;

3 (3) in subsection (d)—

4 (A) in paragraph (1), by inserting “or ad-  
5 vanced” after “baccalaureate”;

6 (B) by striking paragraph (4) and insert-  
7 ing the following:

8 “(4) provide education and training in areas or  
9 skills, including emerging technology, in which there  
10 are significant workforce shortages based on the  
11 data provided by the entity in the State under sec-  
12 tion 118;”;

13 (C) in paragraph (5), by striking the pe-  
14 riod at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(6) demonstrate success in, or provide assur-  
17 ances of, coordination and integration with eligible  
18 recipients described in part C.”; and

19 (4) in subsection (e), by striking “title” and in-  
20 serting “part”.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
22 144 (as redesignated by subsection (a) of this section) is  
23 amended—

24 (1) by striking “title (other than section 207)”  
25 and inserting “part”; and

1 (2) by striking “1999 and each of the 4” and  
 2 inserting “2006 and each of the 5”.

## 3 **TITLE II—GENERAL PROVISIONS**

### 4 **SEC. 201. REDESIGNATION OF TITLE.**

5 (a) FEDERAL ADMINISTRATIVE PROVISIONS.—Title  
 6 III (20 U.S.C. 2391 et seq.) is amended by redesignating  
 7 sections 311 through 318 as sections 211 through 218,  
 8 respectively.

9 (b) STATE ADMINISTRATIVE PROVISIONS.—Title III  
 10 (20 U.S.C. 2391 et seq.) is amended by redesignating sec-  
 11 tions 321 through 325 as sections 221 through 225, re-  
 12 spectively.

13 (c) TITLE HEADING.—The title heading of title III  
 14 (20 U.S.C. 2391 et seq.) is amended to read as follows:

## 15 **“TITLE II—GENERAL** 16 **PROVISIONS”.**

### 17 **SEC. 202. FISCAL REQUIREMENTS.**

18 Section 211 (as redesignated by section 201 of this  
 19 Act) is amended—

20 (1) by striking “vocational” each place the term  
 21 appears and inserting “career”; and

22 (2) in subsection (b)—

23 (A) by striking paragraph (1) and insert-  
 24 ing the following:

25 “(1) DETERMINATION.—



1           “(A) IN GENERAL.—Except as provided in  
2           subparagraphs (B) and (C), no payments shall  
3           be made under this Act for any fiscal year to  
4           a State for activities authorized under title I  
5           unless the Secretary determines that the aver-  
6           age fiscal effort per student or the aggregate  
7           expenditures of such State for career and tech-  
8           nical education programs for the 3 fiscal years  
9           preceding the fiscal year for which the deter-  
10          mination is made, equaled or exceeded such ef-  
11          fort or expenditures for career and technical  
12          education programs, for the 3 fiscal years pre-  
13          ceding the fiscal year for which the determina-  
14          tion is made.

15          “(B) COMPUTATION.—In computing the  
16          average fiscal effort or aggregate expenditures  
17          pursuant to subparagraph (A), the Secretary  
18          shall exclude capital expenditures, special one-  
19          time project costs, and the cost of pilot pro-  
20          grams.

21          “(C) DECREASE IN FEDERAL SUPPORT.—  
22          If the amount made available for career and  
23          technical education programs under this Act for  
24          a fiscal year is less than the amount made  
25          available for career and technical education pro-

1           grams under this Act for the preceding fiscal  
 2           year, then the average fiscal effort per student  
 3           or the aggregate expenditures of a State re-  
 4           quired by subparagraph (A) for the 3 preceding  
 5           fiscal years shall be decreased by the same per-  
 6           centage as the percentage decrease in the  
 7           amount so made available.”; and

8                   (B) in paragraph (2), by striking “fiscal  
 9           effort” both places the term appears and insert-  
 10          ing “average fiscal effort”.

11 **SEC. 203. VOLUNTARY SELECTION AND PARTICIPATION.**

12          Section 214 (as redesignated by section 201 of this  
 13 Act) is amended by striking “vocational” both places the  
 14 term appears and inserting “career”.

15 **SEC. 204. LIMITATION FOR CERTAIN STUDENTS.**

16          Section 215 (as redesignated by section 201 of this  
 17 Act) is amended by striking “vocational” and inserting  
 18 “career”.

19 **SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION**  
 20 **OF PRIVATE SCHOOL PERSONNEL.**

21          Part A of title II (as redesignated by section 201 of  
 22 this Act) is amended—

23               (1) by striking section 217;

24               (2) by redesignating section 218 as section 217;

25          and

1 (3) in section 217 (as redesignated by para-  
2 graph (2) of this section)—

3 (A) by inserting “principals,” after “for  
4 vocational and technical education teachers,”;

5 (B) by inserting “principals,” after “of vo-  
6 cational and technical education teachers,”; and

7 (C) by striking “vocational” each place the  
8 term appears and inserting “career”.

9 **SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL**  
10 **PROGRAMS.**

11 Section 225(c) (as redesignated by section 201 of this  
12 Act) is amended—

13 (1) in the subsection heading, by striking “Vo-  
14 cational” and inserting “CAREER”; and

15 (2) by striking “vocational” both places the  
16 term appears and inserting “career”.

17 **SEC. 207. TABLE OF CONTENTS.**

18 Section 1(b) (20 U.S.C. 2301 note) is amended to  
19 read as follows:

20 “(b) TABLE OF CONTENTS.—The table of contents  
21 for this Act is as follows:.

“Sec. 1. Short title; table of contents.

“Sec. 2. Purpose.

“Sec. 3. Definitions.

“Sec. 4. Transition provisions.

“Sec. 5. Privacy.

“Sec. 6. Limitation.

“Sec. 7. Special rule.

“Sec. 8. Authorization of appropriations.

“TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO  
THE STATES

“PART A—ALLOTMENT AND ALLOCATION

- “Sec. 111. Reservations and State allotment.
- “Sec. 112. Within State allocation.
- “Sec. 113. Accountability.
- “Sec. 114. National activities.
- “Sec. 115. Assistance for the outlying areas.
- “Sec. 116. Native American program.
- “Sec. 117. Tribally controlled postsecondary career and technical institutions.
- “Sec. 118. Occupational and employment information.

“PART B—STATE PROVISIONS

- “Sec. 121. State administration.
- “Sec. 122. State plan.
- “Sec. 123. Improvement plans.
- “Sec. 124. State leadership activities.

“PART C—LOCAL PROVISIONS

- “Sec. 131. Distribution of funds to secondary school programs.
- “Sec. 132. Distribution of funds for postsecondary career and technical education programs.
- “Sec. 133. Special rules for career and technical education.
- “Sec. 134. Local plan for career and technical education programs.
- “Sec. 135. Local uses of funds.

“PART D—TECH-PREP EDUCATION

- “Sec. 141. State allotment and application.
- “Sec. 142. Tech-prep education.
- “Sec. 143. Consortium applications.
- “Sec. 144. Authorization of appropriations.

“TITLE II—GENERAL PROVISIONS

“PART A—FEDERAL ADMINISTRATIVE PROVISIONS

- “Sec. 211. Fiscal requirements.
- “Sec. 212. Authority to make payments.
- “Sec. 213. Construction.
- “Sec. 214. Voluntary selection and participation.
- “Sec. 215. Limitation for certain students.
- “Sec. 216. Federal laws guaranteeing civil rights.
- “Sec. 217. Participation of private school personnel.

“PART B—STATE ADMINISTRATIVE PROVISIONS

- “Sec. 221. Joint funding.
- “Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.
- “Sec. 223. State administrative costs.

“Sec. 224. Limitation on Federal regulations.

“Sec. 225. Student assistance and other Federal programs.”.

Passed the Senate March 10, 2005.

Attest:

*Secretary.*

109TH CONGRESS  
1ST SESSION

**S. 250**

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**AN ACT**

To amend the Carl D. Perkins Vocational and  
Technical Education Act of 1998 to improve the  
Act.